



Mass expulsion threat to troublemakers

Violence clouds England victory

FROM ADRIAN LEE IN MARSEILLES AND BEN MACINTYRE IN PARIS

ENGLAND'S victorious start to the World Cup was marred by another day of running battles between rival gangs of football hooligans and riot police in Marseilles yesterday.



Shearer and Le Saux celebrate the England goal that sparked violence across Marseilles yesterday

As goals from Alan Shearer and Paul Scholes defeated Tunisia, fans from both sides were fighting hand-to-hand on the beach a mile away, where thousands of ticketless supporters had been watching the game on a giant screen.

There was further violence outside the Velodrome stadium, with rival groups hurling bottles and stones at each other through clouds of choking tear gas, and in the centre of Marseilles where supporters in England colours flung missiles and taunted police huddled behind riot shields.

The first of the hooligans were due to appear in court last night — at least 40 are to appear in the next few days — and the French Government threatened mass expulsions of troublemakers if the violence persisted.

Tony Blair meanwhile apologised to French leaders before the European summit

got under way in Cardiff, saying that the hooligans were a "complete disgrace to the country". Jack Straw, the Home Secretary, also said that the whole country felt betrayed, and both ministers expressed concern about the impact on England's chances of staging the competition in eight years' time.

But although everyone agreed that there was no excuse for the violence, there

were recriminations between British and French officials about security arrangements. British officials said that they had warned the French against having video screens on the beach, although they also conceded that many of the riot ringleaders were unknown to them so their identities had not been passed to the French authorities.

Several thousand England fans who arrived by train and

air yesterday were escorted by police straight to the match, but there was little other evidence of the promised scrutiny of fans as they arrived at the Stade Velodrome. And while there was no violence inside the stadium, rival gangs charged each other on every approach to the ground.

Nor were there thorough checks in the video compound on the Prado beach. The 4,000 fans without tickets who crowded there complained that when Shearer scored the first goal the Tunisians pelted them with missiles.

Clutching a head wound, James Davies said the rival groups had not been segregated and that there were only a handful of police patrolling the beach. As fans ripped up plastic seats to use as missiles or shields, it took several minutes for riot squads to move in.

Local officials in Marseilles urged the Government to send reinforcements of troops and riot police to Toulouse and Lens for England's remaining qualifying matches, while Renaud Musselier, the deputy mayor, said that England should be expelled from the World Cup.

The city's police chief described the English contingent as "drunken beasts" and criticised the tournament organisers for scheduling the match on a Monday, allowing hooligans to indulge in a weekend drinking spree before the game. But Marie-George Buffet, the French Sports Minister, criticised bar owners for serving alcohol to fans who were clearly drunk. Last night police ordered all bars to close by 11pm instead of 4am and banned the sales of cans and bottles from 4.30pm.



The Prado beach became a battleground as Englishmen and Tunisians let fly with bottles after Shearer scored

England's lesson in real hardness

FROM SIMON BARNES IN MARSEILLES

"INGA LUND" is another country. They do things differently there. Certainly this strange nation with the very loud trisyllabic name does not seem to resemble the place where I live.

But no doubt many Tunisians feel the same about their own trisyllabic nation of Tunisia whose name was hissed so loudly across the Stade Velodrome in Mar-

seilles yesterday. I was walking away from the match in a light, refreshing shower of beer bottles, emptied by Englishmen, thrown by Tunisians on the whole. But this is not a good time to be nationalistic about such matters.

I thought about leaping in between the two feuding sides and suggesting that, in the land of Descartes, they use their reason to settle their differences. But I did not do so. Dr Dolittle I ain't.

Oddly enough, I had a nice quiet lunch in a nice quiet pavement restaurant. Across the street, the song of Inga Lund was billowing out, but here all was calm. And me apologising to my table in my sub-Proustian French for the horrors of the Englishman abroad, and for the mess the English had made of Marseilles the previous night.

Embarrassing, really. You want to disown every drop of English blood, and as a bonus, swear off alcohol for life. Surely only an English hooli-

gan could make one contemplate even so terrible a step. All so predictable of course. Mayhem everywhere — but an oasis of calm once the match started. A city charged with tension found relief in the heart of the action. And the action was — well, predictable enough. England managed to continue on page 2, col 5

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I raised my hands urgently and shouted, Non, ami, ami!

Damian Whitworth, page 3

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Bankers vote for \$30bn stock windfall

WALL STREET'S biggest payday was given the go-ahead yesterday after partners of Goldman Sachs, the US investment bank, voted overwhelmingly in favour of a stock market flotation.

The flotation is expected to value the bank at \$30 billion (about £18.4 billion). Goldman has 37 partners in London, including chief economist Gavyn Davies, who could be in line for shares worth up to £50 million.

\$30 billion bonanza, page 29

Table with 2 columns: Category and Page Number. Includes TV & Radio (54, 56), Weather (28), Crosswords (28, 56), Letters (23), Obituaries (25), Libby Purves (22), Arts (20-21), Chess & Bridge (49), Court & Social (24), Sport (45-54, 56), Body & Mind (18), Law Report (26).

Blair backs a strong euro as bulwark against Asian crisis

By Philip Webster and Charles Bremner in Cardiff

TONY BLAIR opened up a new front yesterday in his efforts to swing public support behind the single currency by suggesting that a strong euro could help to stave off the threat of impending economic crisis arising from the financial turmoil in Asia.

In some of his most enthusiastic remarks about European monetary union, the Prime Minister told the European Union summit of heads of government here that the troubles in Asia posed the greatest risk to the world economy for two decades. But he said there were two pillars of economic stability in a world of economic instability, the United States and the European Union.

He described the launch of the single currency as a turning point for Europe, the first step on the road towards building the long period of growth that the US has enjoyed. The single currency, he said, would help to generate

stability and growth. EMU's success, he added, was crucial to high levels of growth and employment.

Mr Blair's words appeared to mark his strongest endorsement so far of the single currency, and is in line with recent authoritative suggestions that he is expected to talk more about British readiness for entry to the euro when the time comes. His decision to link his backing for the euro, with warnings about financial difficulties ahead, surprised some European observers who saw it as a suggestion that the euro-zone, which comes into being on January 1 without Britain, would be a "safe haven" in the event of a world economic downturn.

His remarks came on the day that the summit, marking the climax of the six-month British presidency, faced up to the need for wide-ranging economic and political reform. But the mood of harmony was

dented when Helmut Kohl, the German Chancellor, backed by The Netherlands, Austria and Sweden, began his attempt to win a reduction in the German contribution to the EU budget. There were suggestions also that the British rebate, first negotiated in 1984 and now worth £2 billion, should be put on the table, even though the Prime Minister has made plain that it is not "up for grabs".

The summit also began the long process of tackling what most leaders now accept is the EU's greatest problem — its remoteness from its citizens. Mr Blair and Herr Kohl made contributions during a lunch-time debate, suggesting that the gap between the people and Brussels had to be closed. They both believe that for monetary union to become more acceptable there has to be a strengthening of democratic legitimacy. The Prime Minister argued that that

could be achieved either through enhancing the roles of the EU institutions or strengthening the role of democratically elected national governments and parliaments. He suggested that the latter course was favoured by most European leaders.

It was decided that bridging the gap between Europe and its people should become the central task of the six-month Austrian presidency of the EU which starts next month. Heads of government are to hold a special summit in Vienna in October to discuss the process of taking more decisions away from Brussels and devolving them to national and regional decision-making bodies. At that point a committee of "personal representatives" of the European leaders will be appointed to carry forward the reforms.

Summit reports, page 13 Leading article, page 23

Milosevic given airpower threat

Nato sent 80 aircraft into the skies bordering Yugoslavia in a demonstration aimed at persuading Serbia's President Milosevic to stop repression of ethnic Albanians in Kosovo.

RAF Jaguars were among aircraft from 13 countries taking part in the six-hour exercise codenamed Determined Falcon. Pages 15, 23

British Steel jobs at risk

British Steel could cut up to 12,500 jobs over the next three years after suffering a £500 million hit from the strength of the pound. The company, which is struggling to compete with cheaper imports, has also seen its markets in Asia damaged by the region's economic crisis. Page 29

Shares down

The Japanese yen continued to fall, to an eight-year low against the dollar, and shares in London, New York and Hong Kong were also down sharply. Page 29

Church's liturgy to include exorcism and healing

By Ruth Gledhill, Religion Correspondent

PRAYERS for exorcism and healing are to be introduced into the Church of England's liturgy. The charismatic-evangelical revival in the established Church has led to widespread use of healing services and church authorities are anxious to regulate them.

A new liturgy of "wholeness and healing" will be debated by the General Synod in York next month. The new services will include provision for healing the sick, with a laying-on of hands where the priest prays for a sufferer to "receive Christ's healing

touch to make you whole". Prayers "for protection and deliverance" from "the enemy" (the Devil), however, are likely to prove more controversial. At present, the Church's official ministry for deliverance, a term used to refer to exorcism, is carried out by priests authorised by a bishop. The conditions under which a house or a person can be exorcised are strictly controlled, and special permission must be obtained from the diocesan bishop.

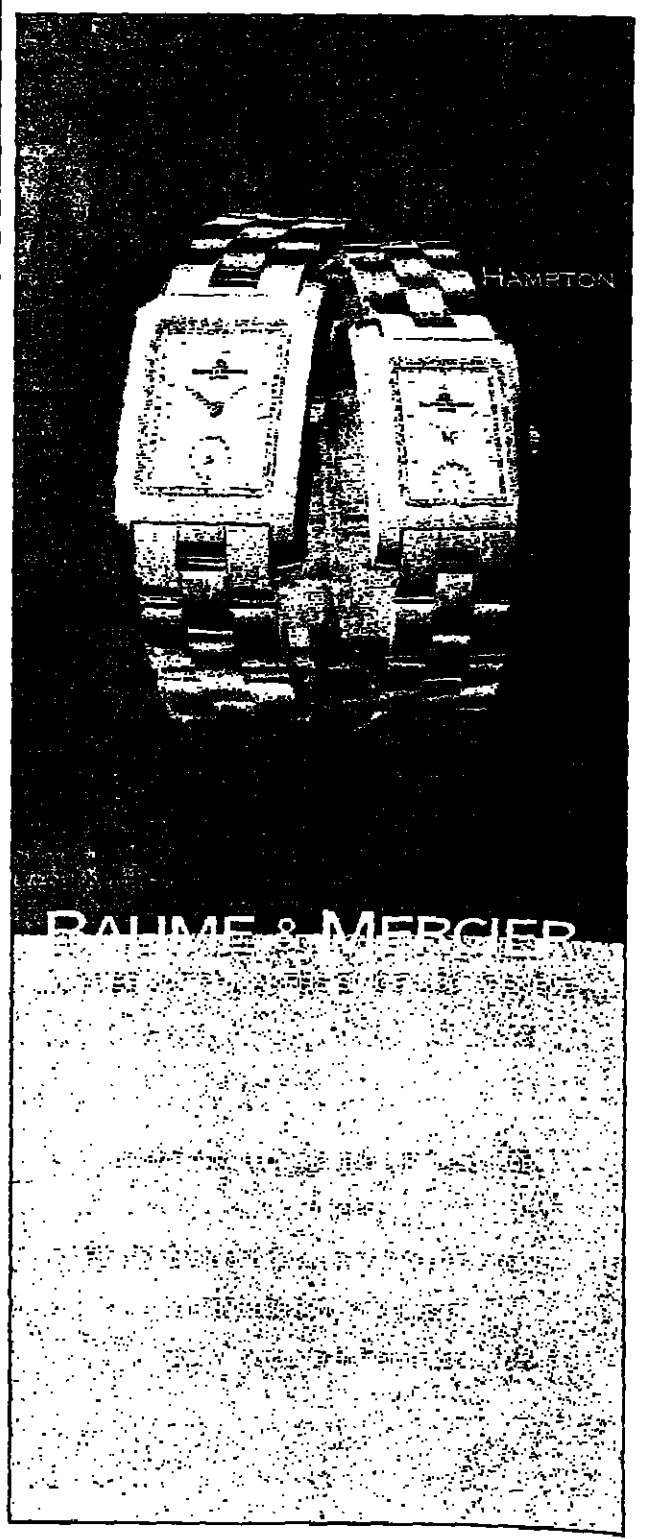
The new liturgy states that permission must still be granted by a bishop, but for the first time it includes prayers "where it would be pastorally helpful

to pray with those suffering from a sense of disturbance or unrest." For the deliverance of a place or building, the liturgy states: "Visit, Lord, we pray, this place and drive far from it all the snares of the enemy." For a disturbed person before sleep, it pleads for protection from the Cross, "which is mightier than all the hosts of Satan", from evildoers, evil spirits, foes visible and invisible and "from the snares of the Devil".

The liturgy also includes three rites of healing, for use at a mass diocesan event, at a parish church and with individuals. According to the introduction, an individual's physical, social,

emotional and spiritual well-being are closely connected. "The gospels use the term healing for both for physical healing and for the broader salvation that Jesus brings," it states. The liturgy rejects any link between sickness and sin, and also urges that prayers for healing should not involve any rejection of conventional medicine.

The services are part of the new liturgies being debated by the Synod and which will replace the 1980 Alternative Service Book at the millennium. New versions of the Lord's Prayer, the eucharist, the marriage, initiation and funeral services will also be hotly debated.



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# From beach party to pitched battle



French riot police running on to the beach to break up the fighting among opposing fans after Alan Shearer put England ahead. Damian Whitworth's sketch, below, shows the scene of the fighting

## Damian Whitworth finds himself in no-man's land as bottle-throwing Tunisians fight with England fans

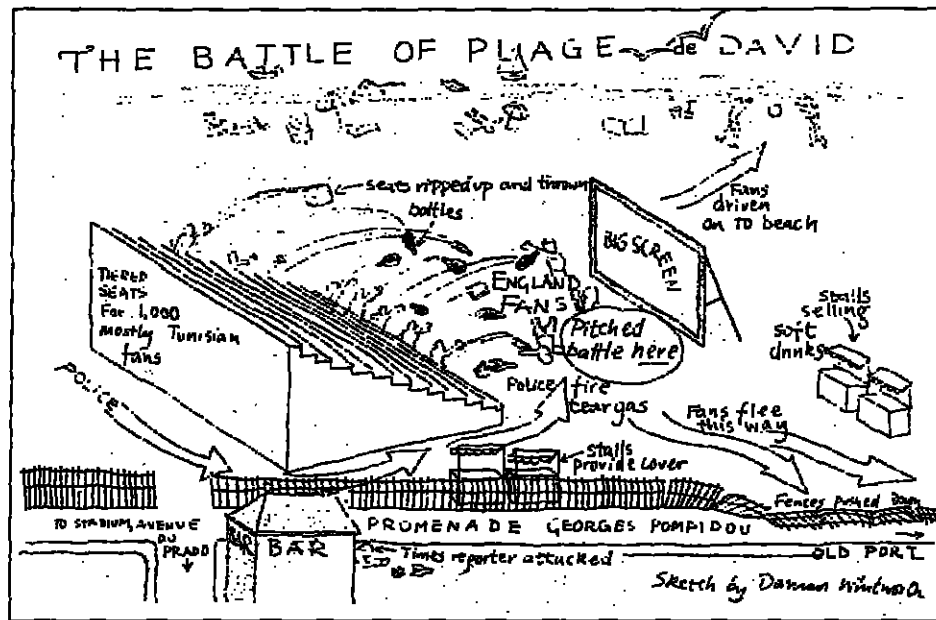
IT WAS a wonderful day for the beach. The sun sparkled on the Mediterranean and holidaymakers lazed on the sand and larked about in the water while the energetic played volleyball. Then a footballer scored a goal on television and all hell broke loose. The big screen erected on Plage de David in Marseilles was always expected to be the place where England fans who failed to get tickets for yesterday's match against Tunisia would congregate to watch the game, and after Sunday night's trouble in the old port area of the city there were understandable fears that the beach would be a focus for trouble. But the scene before kick-off and for the first 41 minutes was surprisingly pleasant. England fans were drinking at

a bar across the road, but once inside the fenced-off area where the screen was erected, the stalls were serving soft drinks only. Bottles and other potentially harmful objects were not allowed inside. The security guards looked bored and gave many people a cursory look only, but the atmosphere was such that, if the events of the previous night had not taken place, one would never have dreamt there would be trouble. Both groups of fans were boisterous, particularly the Tunisians, who had commandeered the majority of the seats in the stand and were jumping up and down on them. But English and Tunisians played football together, children scampered about and picnics were spread out. Then Alan Shearer nodded

the ball into the back of the Tunisian net, the England fans leapt deliriously into the air and their feet had barely touched the ground again before the bottles were flying from the Tunisian direction. Some idiots returned fire. But while England fans had made up two thirds of the crowd, the few involved in the throwing were outnumbered by a furious mob of North Africans, apparently not just Tunisians.

Most of the England fans and many Tunisians stampeded out of the way. Some fled on to the beach, others pushed down the spiked metal fences embedded in concrete blocks and scrambled over bushes onto the road. Many waited to see if the fighting would stop and stood at the sides of the grass area. I took cover with a group of journalists and fans behind a refreshment stall. It was clear from the number of bottles flying across the field that the poor security checks had been disastrous. But the Tunisians then demonstrated that they did not need bottles as they tore up their seats and began flinging them. Some England fans threw them back.

A ferocious pitched battle ensued and it was at least five minutes before police in riot gear, whose presence had been low key, finally moved into the area between the



stand and the screen where the fighting was raging. They fired off numerous canisters of CS gas that cleared the crowd, blinded and gagging, on to the beach and the coast road. One mother, struggling to carry two hysterical children, was helped by a policeman who grabbed the children and sprinted away from Tunisians who were still hurling missiles in every direction. On the Promenade Georges Pompidou an English fan was having the blood that was pouring from a cut on his forehead wiped from his face by two friends. "I was just cheering there and a bottle hit me and I went down," he said.

At that moment England fans and Tunisians started exchanging more missiles close by and the man was helped to his feet and hauled down the street by his friends. They gambled by running as fast as they could with the now retreating English, their backs to the bottle-hurling Tunisians. I chose to go sideways and take refuge by a bar where the England fans had been drink-

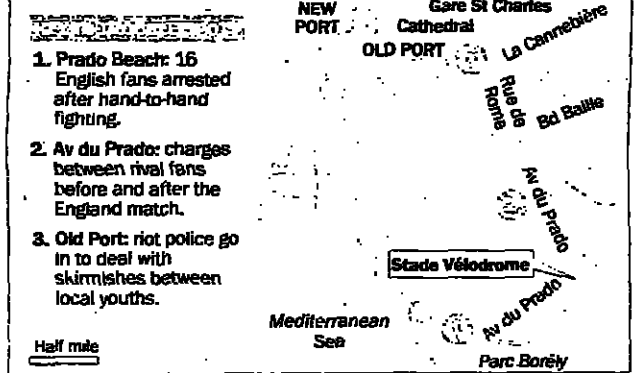
ing earlier and which was now closed. This was a mistake. On Sunday night I and my colleagues had been careful while reporting on the violence in the port to keep either behind police lines or at a safe distance. Unfortunately, as a band of Tunisians rounded the corner from the Avenue du Prado, I was almost alongside them. I tucked myself in beside a pillar and hoped they would

either retreat and give me a chance to run, or deem me unworthy of their attention.

I was spotted by a young boy, of no more than 14, who was brandishing a bottle in each hand. He raised one over his head and prepared to hurl it at me. I raised my hands urgently and shouted: "Non! Non! Non! Arrêt! Arrêt!" He hesitated for a second and shouted to his friends, pointing at me, seeking peer-group support for what could be a bloody business. As he hesitated, I did what I wished I done earlier and ran. He threw and missed.

The cliché that your sensory perception goes into overdrive when you are in danger, and you notice every detail suddenly became true. I could see his retinas, huge and wild. Perhaps it was his first street battle. Then out of the corner of my eye I saw his friends preparing to throw. I put my head down and ran. One, chucked by a wiry boy running in from the side, hit my thigh but didn't break. It was now a question of their accuracy, and luck. The no-man's land between me and the English fans looked like the biggest, scariest place in the world. I could see England shirts watching me and the bottles raining past my ears

and smashing in front of me. Well, I say raining - it was probably half a dozen. The important thing is that they all missed and I reached safety, pulse racing at about a thousand beats a minute. Groups of English lads and families were racing along the coast road. None of the hotels would let us seek refuge and a taxi driver refused to stop. Some Tunisians appeared coming the other way but they were probably as terrified as we were and hurried verbal abuse only before scarping. A bus stopped and picked a dozen of us up. One woman with her son had lost her husband. A man had lost his brother-in-law. One of the young blokes I had been running along with made a joke about the beetroot colour of my face, a mixture of sunburn and lack of puff. Everyone laughed too loudly, especially me. We reached the old port just as the final whistle was going. People were sitting outside cafés enjoying a drink before the hordes returned from the stadium and another long, simmering night began. They didn't give us a second glance. If they had they might have seen in our eyes that we had just endured the most frightening afternoons of our lives.



## Suspected football hooligan is 'a decent family man'

Stephen Farrell on the fan arrested in France who is 'known' to local police

JAMES SHAYLER, the suspected hooligan arrested by French police, is a Leeds United fan with two very different sides to his character. Instantly recognisable in his home town of Wellingborough, Northamptonshire, local police will only confirm that he is "known" to them. Shayler, 32, lives in a £60,000 home on a respectable housing development on the outskirts of town. He left for the World Cup on Saturday in a group of 26 which held a going-away party at the Chequers, a dingy bikers' pub in the town centre.

With its shabby black-painted walls and the Union Flag pinned to the ceiling, the surroundings are very different from the house he occupies with Maria Yeo, his girlfriend, and their three children. The family moved there two years ago and the house bears no sign of football regalia, except for two plastic children's balls, one bearing a picture of Barbie, next to a slide in the small, but tidy, rear garden. Ms Yeo and the children are popular with residents. One neighbour said: "She is lovely, the nicest person you could meet, but we never see him. He doesn't seem to work from home. He has always gone to England matches. He is able to get tickets for everything."

Ms Yeo yesterday arrived home after picking up the children from school in her N-registration Vauxhall Vectra, saw the media and quickly drove off again. The couple went to the same local school, where they were childhood sweethearts. Shayler was raised on the Hemingwell estate in Wellingborough, where his mother Maureen and sister Janette still live. Neither of them answered their door yesterday.

of lager and has never caused any trouble. One staff member said: "He is quite polite, always please and thank you. When he moved here, some regulars came in and said, 'We didn't know he was coming in here.' I said 'Who?' and they said, 'Shayler'. I was wary after that but he has never given the slightest hint of trouble and never plays the hard man." A family friend said that Shayler was a "decent man" who got his ticket from the English supporters' club. He said: "He's walking proud, proud to be English. If he was doing something untoward, he would have been dragged to the ground. I don't care what Tony Banks or anyone says. If you had 400 Tunisians walking after you, you wouldn't walk away. I think he's a proud man." "I heard it all started with three Tunisians running over an English fan."



Maria Yeo outside the Wellingborough house she shares with James Shayler, right. Below, their £60,000 home (with white door) on a respectable housing development









# Pay row could hit Royal Ballet summer season

DANCERS at the Royal Ballet are about to emulate BBC technicians and London Underground workers by taking industrial action this summer.

A vote is being organised by the *corps de ballet's* trade union, Equity, that could throw into jeopardy the prestigious summer season due to begin on July 7 at the London Coliseum.

The secret ballot of 81 dancers is seeking authority for industrial action short of an all-out strike. The dispute is over a proposed pay freeze for the dancers, who earn between £267 and £334 a week. They feel they are losing their financial edge: dancers at the Birmingham Royal Ballet have negotiated a pay rise of 3.5 per cent and at the rival English National Ballet pay has gone up by 3.8 per cent.

The dancers believe their most effective weapon would be an overtime ban: their official contracts stipulate a maximum of six hours a day, or 33 hours a week. However, the Royal Ballet management believes it could still put on a successful summer season if the dancers refused to perform beyond their allotted time.

Amanda Jones, head of

**Dancers are to vote on possible overtime ban, report Dominic Kennedy and Debra Craine**

press for the Royal Opera House, said: "There is no reason to expect disruption of performances. Even with an overtime ban, matinee and evening performances can still take place on the same day. Besides, both sides are still working very hard in the hope of a conclusion that doesn't involve industrial action."

The result of the ballot is expected on Friday. "We don't wish to discuss the nature of action we could take if the dancers vote yes," Martin Brown, Equity press officer, said yesterday.

Dancers are traditionally the least likely in the performing arts world to take industrial action. But Mr Brown said: "Last year the Royal *corps de ballet* got a 1.5 per cent pay

increase, which was about 1 per cent short of inflation at that stage. This year they were offered a pay freeze when inflation is at 4 per cent. Clearly anybody faced with a pay freeze at this stage is going to be extremely unhappy."

The dancers are also angry that members of the Royal Opera chorus each received a one-off payment of £500 to compensate them for disruption to their holiday plans caused by the renovation programme at Covent Garden. Dancers at the Royal Ballet, who also had their holiday entitlement breached, were denied similar compensation.

□ The RMT union accused London Underground of "grossly exaggerating" the number of trains running during a 48-hour strike over job security. London Underground said that 60 to 70 per cent of trains ran in the morning rush hour. The strike ends this evening.



Nelson Mandela, the President of South Africa, with the Duchess of Kent as she arrived at the South African High Commission in London yesterday for a breakfast in aid of his charity for underprivileged children

## Millfield girl dies in fall from dorm roof

By Victoria Fletcher

A GIRL of 14 fell to her death from the roof of her dormitory at Millfield School after a secret birthday drinks celebration.

The school in Somerset, where fees are £15,000 a year, believes that Jennifer Gelardi had decided to have a drink with a friend in her dormitory on Sunday morning. Drinking is forbidden by school rules.

She is thought to have clambered out of her window on to a ledge and slipped, falling more than 30ft on to concrete. Although she was taken to hospital in Taunton, she died within hours from serious head injuries.

Yesterday friends and teachers at the school were said to be extremely shaken. Her parents, who live in Singapore, have flown to Britain and are said to be comforting their 16-year-old son, who is also a pupil at the school.

The school described Jennifer as a very bright and quick-witted pupil and said she had never been in trouble since starting there last September.

## Jenkins' claim over bloodspots is rejected

By Joanna Bale

CLAIMS by Sion Jenkins that bloodspots on his clothes came from the dying breath of his foster daughter, whom he is accused of murdering, were dismissed by a paediatrician at his trial yesterday.

David Southall told Lewes Crown Court he had never seen a dying child breathe in the way that the defence claims Billie-Jo Jenkins did. Mr Jenkins, 40, denies bludgeoning Billie-Jo, 13, with a tent spike at their home in Hastings, East Sussex, last year.

The prosecution claims that a mist of more than 100 bloodspots was produced as Mr Jenkins hit the girl over the head. Mr Jenkins says the spots could have come from a bubble of blood in her nose that burst as he crouched by her. Professor Southall said the girl would not have been capable of the breaths needed to expel air with such force.

The trial continues.

## Woman puts boot into sex attacker

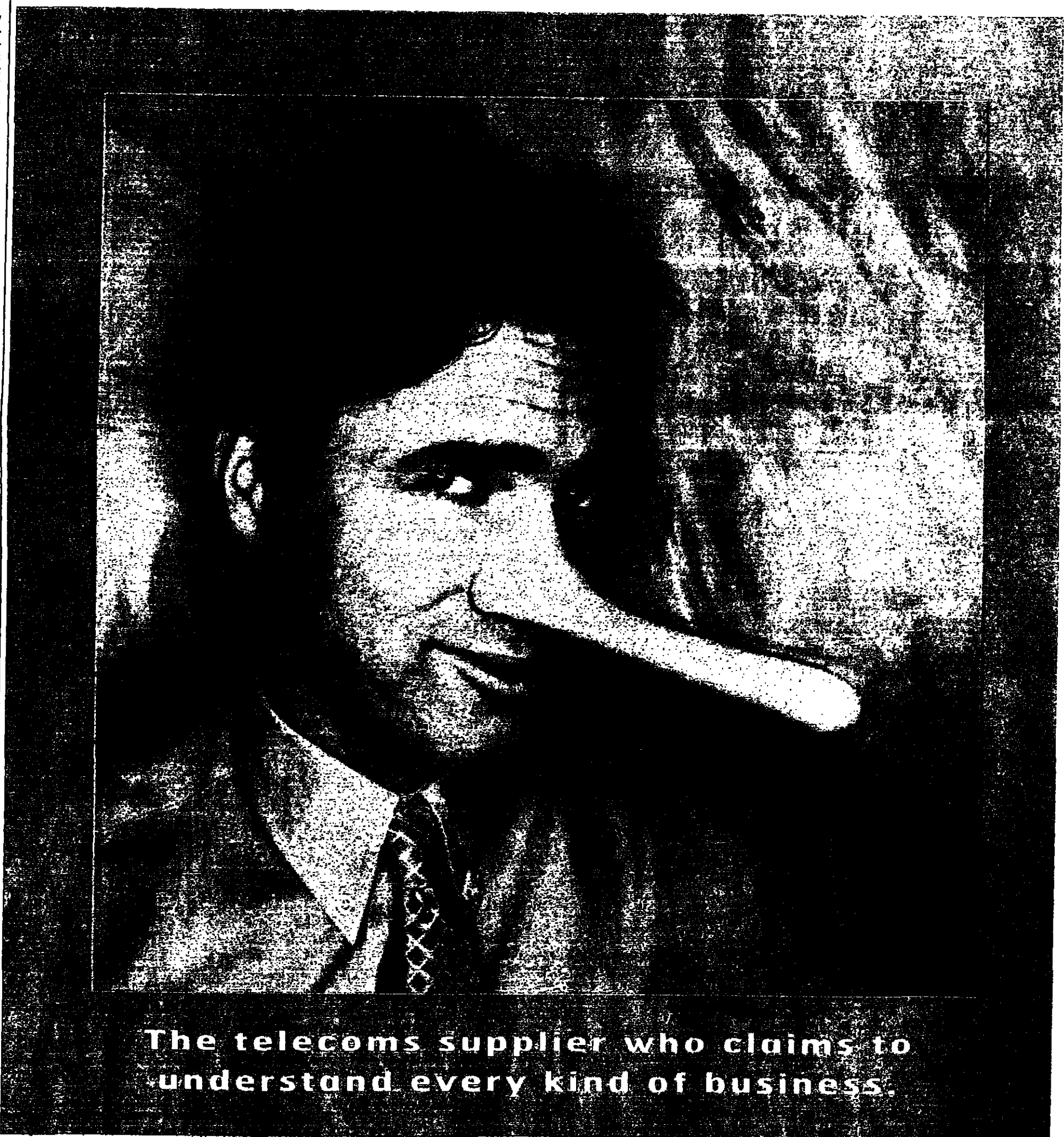
By Tim Jones

A WOMAN was praised for her courage yesterday after she avoided being raped by asking her attacker to take off her wellington boots. As he fell backwards, she escaped.

The housewife, 36, was walking near the River Taff in Cardiff with her dog when her way was blocked by a young white man in his mid-20s. "I knew from the way he was standing and the look on his face that I was in serious trouble," she said yesterday.

The man threw her in the river, but after she "played dead", she was taken to a clearing, where he ordered her to remove her trousers. She said she could not do so without taking off her boots. "He pulled on the boots and, as they came off, I stood up and ran as fast as I could. He was left there holding them."

Chief Inspector Richie Clarke, of South Wales police, praised her "amazing presence of mind".



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# Parents to sue over prison cell killing

### Father blames authorities as report into son's death highlights staff failures, writes Michael Horsnell

THE parents of a prisoner who was killed by his schizophrenic cellmate are to take legal action for compensation after an inquiry report yesterday blamed multiple failures by the authorities.

The report said that Christopher Edwards, 30, who was on remand at Chelmsford prison in Essex, should never have been sharing a cell with Richard Linford, 32, a care-in-the-community patient who beat him to death in November 1994.

The report, presented by Keiran Coonan, the inquiry chairman, made 35 recommendations. It concluded that "neither should have been in prison... yet there seems to have been a tragic inevitability in the responses of those who should have been able to help them and keep them apart".

The report of the £1 million inquiry criticised the Prison Service, police, care workers and the courts for the events that led up to the killing. Two prison officers refused to give evidence when Mr Coonan

said, they might have been able to clarify events.

Paul Edwards, 61, the dead man's father, said he would be seeking legal redress: "Richard Linford was a severely mentally ill person with strong tendencies towards violence. Blame rests on those who enabled such an explosive mix to come together."

He called for an end to the idea that prison was an appropriate place to "dump" the mentally ill and said that the mental health services should be required to intervene to help disturbed people living in the community who were unaware of their own condition.

The family will be seeking a meeting with the Home Secretary to ask him to investigate allegations of a cover-up involving police and the Prison Service. Their suspicions centre on a claim by the authorities that the two men had befriended each other during reception procedures and wanted to share a cell.

The family says this was a lie and was not properly addressed by the inquiry. Christopher Edwards, who was living alone in Colchester and suffered from a non-violent mental illness, was arrested for pestering women in the street and remanded in custody by magistrates on November 28, 1994.



Edwards: did not take prescribed medication

Linford, from Maldon, Essex, was found to be a paranoid schizophrenic in the 1980s and had a history of violence. He was arrested for assaulting a woman friend and her neighbour and remanded in custody on the same day. The report says that, in what proved to be a "chilling observation", one of his GPs told a case conference a month earlier that he "could

murder someone". Five months later, Linford admitted manslaughter on the ground of diminished responsibility and was sent to Rampton special hospital.

Neither man was taking his prescribed medication when they met on their first night in jail. The report underlined the breakdown in communications between the care agencies but reserved its severest criticism for the Prison Service. It said that, under recommendations of the Chief Inspector of Prisons, the cell should never have been shared because it had integral sanitation unsuitable for double occupancy.

It also castigated the Prison Service for the failure of the emergency call system in cells at Chelmsford which, it said, could have been tampered with by prison staff wedging a matchstick behind the reset button on the control panel.

The emergency system, set off by Mr Edwards while under attack or by Linford after it was over, had been disabled and the buzzer failed to sound. "These features, taken together, amount to a systemic collapse of the protective mechanisms that ought to have operated to protect this vulnerable prisoner." The inquiry questions why Linford



Chelmsford Prison's control centre. The report says staff could have tampered with the emergency call system.

was not admitted to hospital before the attack and why he and his victim were not taken into the prison's health centre after their arrests.

Police are criticised for failing to issue a form describing Mr Edwards as a prisoner who could reasonably be suspected of being an exceptional

risk on the ground of mental disturbance. No attempt was made by magistrates to notify the prison authorities that he was suspected of having a mental illness.

In addition, the healthcare arrangements for Linford during 1994 had been "fatally flawed", with disagreement

between carers that he was potentially homicidal and his care "all but collapsed" because of a failure by experts to pass on information.

John Burrow, Chief Constable of Essex, rejected the Edwards family's claim of a cover-up, saying police inquiries were conducted in the

knowledge that they would have to be referred to the Crown Prosecution Service.

Richard Tilt, Director-General of the Prison Service, said: "We will make sure that the programme required to implement the recommendations is taken forward as quickly as resources allow."

## NEWS IN BRIEF

### Classmates pray for boy found dead in river

Pupils at St Francis Primary School in Glasgow said prayers yesterday for their classmate, Ernest Barrie, whose body was found in the Clyde near his home in the Gorbals on Sunday night.

It is thought that five-year-old Ernest, who had been missing since Friday, managed to squeeze through a gate at the top of steps leading to the water. A post-mortem examination is expected to be held today.

Moir McGlynn, the headmistress at his school, said children and staff were shocked and saddened by the death of "a very popular and happy boy".

### Murder charge

A 16-year-old appeared in court charged with murdering a pensioner who died after a fracas with youths near his home. The teenager, who cannot be named, appeared before magistrates at Birmingham Youth Court, accused of killing John Robinson, 67, who died from a head injury.

### Nuisance calls

Viscount Reidhaven, 34, the heir of the Earl of Seaford, one of the country's biggest landowners, was charged with making nuisance telephone calls to a push in Hildenborough, Kent, where he lives. Sevenoaks magistrates adjourned the case until June 29.

### Bright spark

A burglar was electrocuted when he tried to break into a television cash meter by billing through a live cable. Paul Daniels, 26, of Horden, Co Durham, who admitted burglary and a separate offence of assault, was given a community service order by Tees-side Crown Court.

### Libel damages

The actress Brooke Shields accepted "very substantial" libel damages and a public apology in the High Court over an article in *The Mail on Sunday*. Her solicitor told Mr Justice Eady that it was false and defamatory, and that the newspaper had published an apology and a retraction.

### Charges dropped

The former fiancée of James Hewitt will not face charges over the alleged theft of letters written to him by Diana, Princess of Wales. Scotland Yard said, Anna Ferretti, 39, was arrested in London in April after claims that she tried to sell 62 letters to a newspaper.

### Research pays off

A forerunner who researched the history of a wine bottle unearthed on a Staffordshire building site where he was working 25 years ago has discovered that it dates from the 17th century and is worth £7,000. Clive Brightman, 62, is to give his daughter the bottle as a wedding present.

## Inmate loses bid to avoid giving DNA sample

By Richard Ford, Home Correspondent

A GUNMAN serving life for crippling a police constable yesterday lost an attempt to prevent officers from obtaining a body sample for the DNA database.

Stuart Blackstock, 43, had alleged in the High Court in London that the sample was an additional penalty to his jail sentence and that it breached the European Convention on Human Rights.

Blackstock, held at Full Sutton top security jail near York, said that he had been told in writing last month that he would be required to provide a DNA sample voluntarily or that one would be taken from him "by force".

In his written submission, he said that, at the end of May, he was visited in prison by police officers who told him that he must give a sample for the national database. He alleged the police said that if he refused "we will be back at a later date to hold you down and rip hairs out of you by forceful means". Blackstock claimed that the

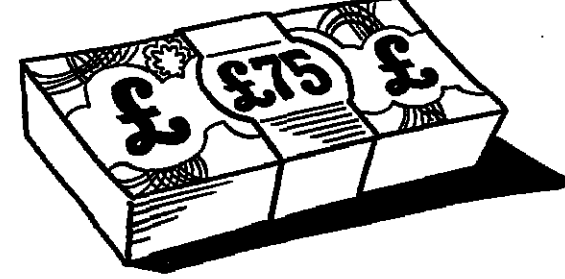
move to require him to give a sample had disturbing implications, and that it amounted to a "retrospective penalty".

However, Mr Justice Hilden ruled that the High Court had no jurisdiction to hear his complaint and that, if he wanted to pursue the matter, he would have to go to the European Court of Human Rights. In any event, the police were legally entitled to require him to provide non-invasive body samples and to take them by force if he refused.

The judge told Blackstock that the taking of the sample did not amount to an additional penalty.

Blackstock shot PC Philip Olds during a raid on an office in Hayes, West London, in December 1980. He was jailed for life in 1981 after being convicted of wounding with intent to resist arrest. PC Olds, who was paralysed from the waist down, later received the Queen's Gallantry Medal. He died in 1986 of a drugs overdose.

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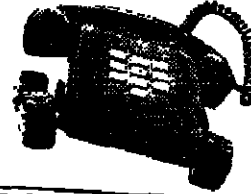


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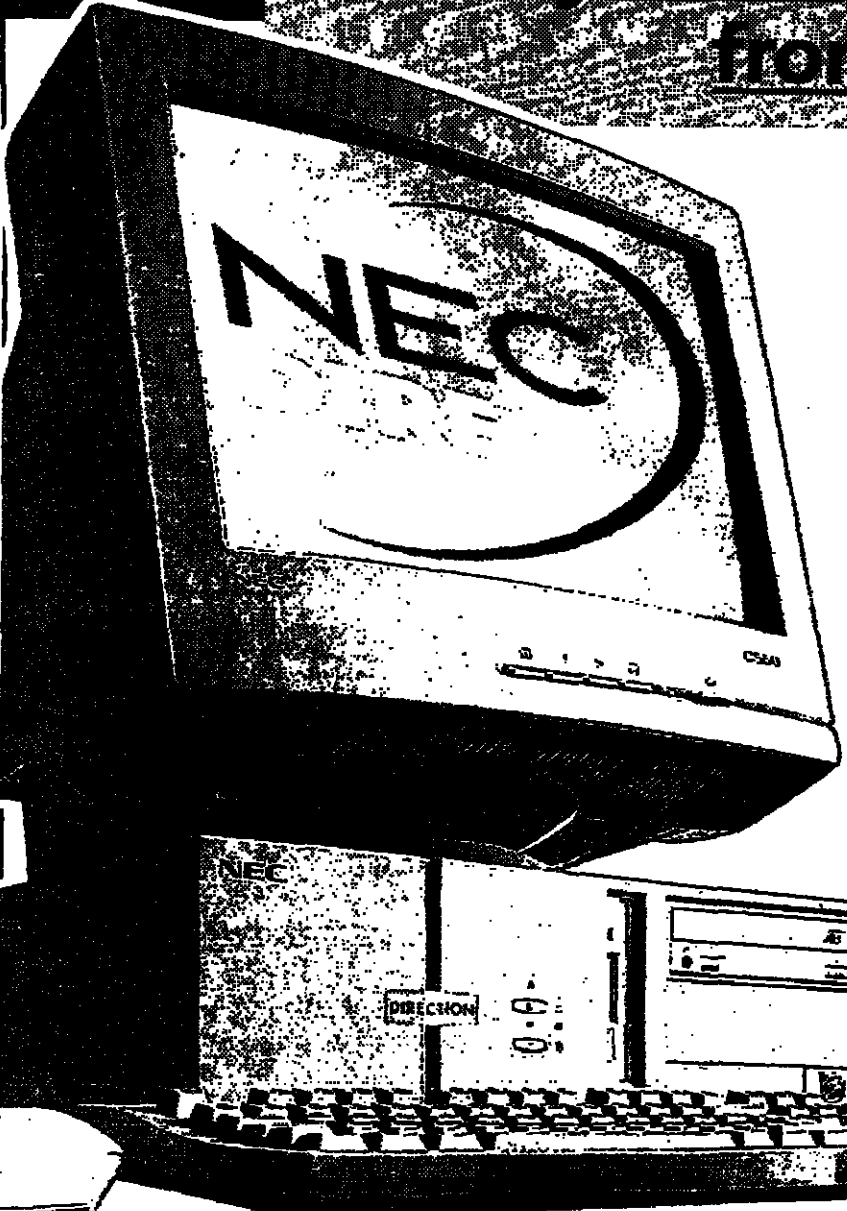
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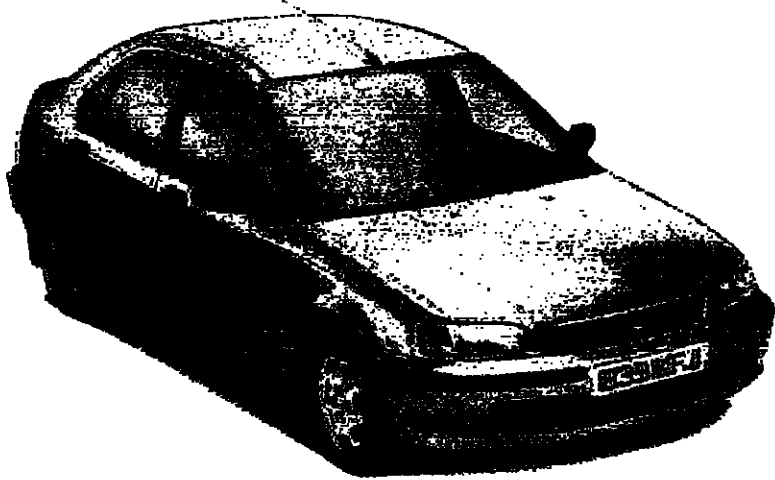
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# Mowlam rejects Tory demand on terrorists' guns

BY NICHOLAS WATT AND MARTIN FLETCHER

THE cross-party consensus on Northern Ireland was close to collapse last night after Mo Mowlam refused to agree to a Tory demand for an explicit link between terrorist disarmament and the early release of prisoners.

During the worst Commons clashes in years over Ulster, Ms Mowlam said she could not accept joint Tory and Ulster Unionist amendments to the Northern Ireland (Sentences) Bill because they could unravel the Good Friday agreement.

The Tories are demanding that the Government accept a series of amendments to the Bill, tabled last week by William Hague and David Trimble, the Ulster Unionist leader, which call for total disarmament by May 2000. The Bill says that terrorist prisoners can be released only if they are linked to an organisation that is co-operat-

ing with the independent commission on arms which, according to the Good Friday agreement, must achieve "the decommissioning of all paramilitary arms within two years".

Ms Mowlam told MPs last night that she could not introduce "barriers or preconditions" if they were not part of the Good Friday agreement. But she insisted that there would be a link between terrorist disarmament and the release of prisoners.

As MPs debated the committee stage of the Bill, Ms Mowlam said: "Where that fundamental commitment [to peace] is called seriously into doubt we can act to stop prison releases. I can exclude prisoners... There can be no fudge between democracy and terror."

Government sources indicated last night that ministers

would attempt to win Mr Trimble's support before the Sentences Bill is next debated by MPs tomorrow. It is understood that the talks will centre on Mr Trimble's demands that the Bill should include the assurances given by Tony Blair during the referendum campaign that there had to be a link between the release of terrorists and progress in decommissioning.

Andrew Mackay, the Shadow Northern Ireland Secretary, accused the Government of fudging the decommissioning issue in the legislation. He told MPs: "This is a matter of trust. It goes to the heart of Government. The Prime Minister made these pledges and people voted [in the referendum] on the basis of these assurances."

The Tory amendment was defeated by 274 to 125, a Government majority of 149. The clashes in the Com-



Police stopping Gerry Kelly, a leading republican, from disrupting the 1996 parade

mons came as the Northern Ireland Parades Commission moved to prevent riots erupting this Friday by banning a major Orange Order parade from entering nationalist areas of North Belfast. The march is due to take place just

six days before elections to Northern Ireland's new assembly.

The decision angered loyalists and Unionists, who accused the commission of capitulating to republican threats of huge protests. But

the commission argued that the situation was even more explosive than in 1996, when the last "Tour of the North" parade led to widespread public disorder after the police forcibly removed nationalist protesters.

# Symons tells peers: I didn't mislead you

BY JAMES LANDALE, POLITICAL REPORTER

BARONESS SYMONS of Verulam Dean yesterday adamantly denied Tory charges that she misled the House of Lords over the arms-to-Africa affair.

The junior Foreign Office Minister had been accused of misleading peers by failing to tell them about a Customs and Excise investigation into the activities of Sandline, the British firm at the centre of the controversy.

In Lords' statements on March 10 and May 11, the minister made no mention of the investigation into alleged breaches of a UN arms embargo on Sierra Leone even though she had been briefed about it on the morning of March 10. This briefing came seven weeks before Robin Cook, the Foreign Secretary, was told on April 28.

The Tories first made the accusation against Lady Symons after Sir John Kerr, the head of the Diplomatic Service, revealed to a Commons committee earlier this month that she had been briefed on the customs investigation.

Yesterday in the House she admitted that "there was information contained in the background documentation about the allegation of arms supplies being referred to the appropriate authorities". But she "had not been briefed" to announce a customs inquiry. "And quite right. It would have been highly prejudicial

and quite wrong to make the referral public at that stage. Doing so would have alerted those who were potentially under investigation."

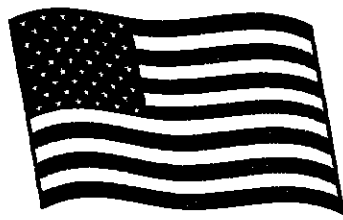
Lady Symons insisted that her briefing was to focus on the major developments in Sierra Leone. "I did not deliberately mislead this House," she told peers. I have made it clear in what I said on March 10 and May 11. I did not do so inadvertently either."

She insisted that the Tories should concentrate on the wider foreign policy issues rather than the "specious nonsense" of the "minutiae" of their charges. But Michael Howard, the Shadow Foreign Secretary, wrote to Lady Symons last night, repeating the allegation that she misled the House. He said: "When you answered questions in the House of Lords today, you completely failed to offer any explanation as to why you misled the House on May 11. On May 11 you went to great lengths to give the impression that you had not been briefed about Sandline's involvement before you answered questions in the House on March 10."

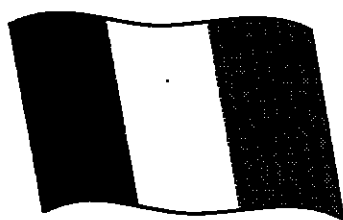
Menzies Campbell, the Liberal Democrat foreign affairs spokesman, said that Lady Symons's explanation for not telling the House was "unconvincing".

Here's welcome, page 17

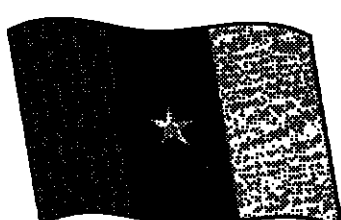
# BT's line up for the World Cup.



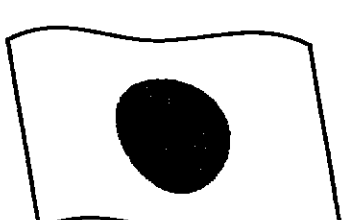
USA from 12p



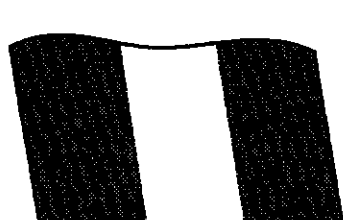
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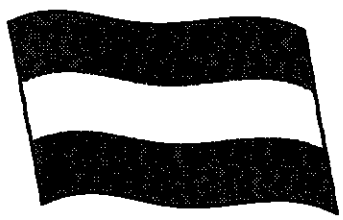
Cameroon from 56p



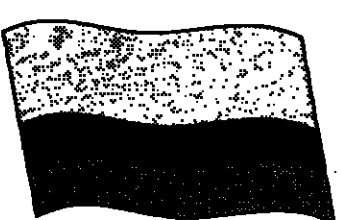
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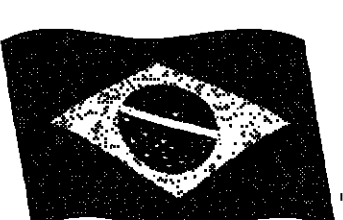
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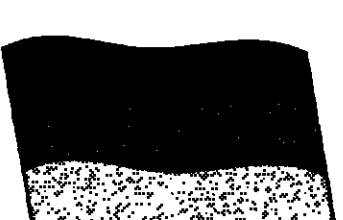
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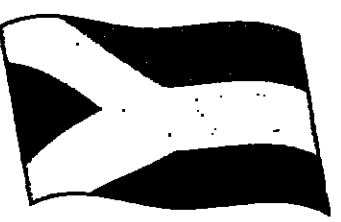
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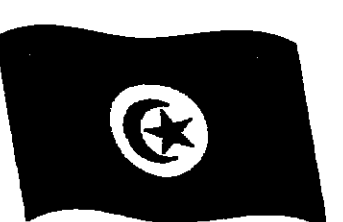
Brazil from 56p



Germany from 13p



South Africa from 38p



Tunisia from 31p

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# Neill has both main parties in suspense

LABOUR and the Tories are increasingly worried about whether they are going to have enough money in future. Their concern is the Neill Committee on Standards in Public Life, which this week ends its public hearings and starts preparing its report. The parties are worried that the Neill proposals could result in a big shortfall in the amount of money they need. This concern is signalled in the article on page 22 today by Larry Whitty, the former Labour General Secretary and now a government spokesman in the Lords. His comments, while personal, clearly have the sanction of the leadership.

Last year, the Tories and Labour not only spent record amounts centrally but also raised much greater proportions of this money from wealthy individuals rather than from traditional sources like unions and public companies. However, such donations may be affected by two proposals, already endorsed by the Government, for declaring the identity of donors of more than £5,000 and banning foreign donations. The main parties are worried that these changes will leave a lop-sided pattern of financing. The Tory worry, as expressed by Lord Parkinson in evidence to the Neill committee last Thursday, is that disclosure will discourage donations. Unlike the United States where people like to be publicly known that they have donated to political campaigns, the British are believed to be more reticent. He cited "a very successful, highly respected and retired person who 'would normally have given perhaps a six-figure sum', but instead had sent a cheque for £4,500 because he did not want to see his name on a list of donors. Lord Parkinson could not ever again foresee a time when the Tories would have the sort of sums available that they had last year.

Labour's fears are parallel. Tom Sawyer, Lord Whitty's successor, told the committee that the party would have to continue to seek big individual donations if it was to raise

the amounts it believed necessary: otherwise, there should be state funding. Labour wants to narrow the gap by imposing limits on national campaign spending, but it is clearly worried by the scepticism expressed by some members of the committee about whether such restrictions are workable. Lord Whitty argues that, while it is not possible to control all election spending, poster and newspaper advertising is hard to disguise and could be regulated by a cap. Labour has been wary of unconditional taxpayer funding because of likely public opposition, though Lord Whitty said that support should be available for the costs of internal party democracy, ballots and party formation. This is distinct from the Short money available to opposition parties for their work in Parliament. The Tories will receive £1.1 million this year, a third of what the

## RIDDELL ON POLITICS

Government will spend on special political advisers.

The parties all have an idea of what they believe is "enough" money. This is an elusive and elastic concept. After all, riches for the Liberal Democrats would be penny for Labour or the Tories. But the parties clearly believe there is a funding gap. But it is not the job of the Neill committee, or the state, to define the "right" amount for parties to spend. If disclosure reduces the money available for expensive advertising campaigns of little proven value, so be it. There are legitimate public policy issues over whether big donors obtain favourable access and over whether opposition parties can perform their parliamentary duties. Disclosure and an expansion of Short money are the answers. Although support for state funding is growing across the parties, the Neill committee should be cautious about greater subsidies or controls.

PETER RIDDELL

# Tory Lord defects

LORD HACKING, a Tory hereditary peer, crossed the floor yesterday to join the Labour benches in the House of Lords in protest at William Hague's headline Eurosceptic policies (James Landale writes).

The 60-year-old peer, a senior partner in a London law firm, initially sat on the cross benches after inheriting his title in 1971 but he joined the Tory party in 1992 to help push through the Maastricht treaty. He said he had been concerned about the Tory

party's recent direction and that the speech by Mr Hague, in which the Tory leader said a single currency would be "a burning building with no exits", was the last straw. "I try to be consistent on the European issue and in order to remain consistent, I could no longer support the Tory party," he said.

He also expressed concern at Tory penal policies, especially the support for mandatory sentencing, which he dismissed as "populist and unworthy".

Vertical text on the right edge of the page, including "The Times", "You're making a difference", and "You're making a difference".



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# Traditional Welsh skills beguile foreign ears and palates

Michael Binyon on the wining, dining and serenading enjoyed by the Queen's guests at Cardiff Castle

THE Land of Song greeted its visitors with music last night. By royal appointment, a Welsh choir filled the opening grace at the banquet given by the Queen in Cardiff Castle. And when her guests had eaten Welsh fare and drunk Welsh wine, the choir serenaded them over coffee with traditional Welsh airs.

A team of seven chefs prepared the five-course dinner of regional cuisine. Trefor Jones, the head chef, gave a choice of three menus for the Queen, who then selected the dishes. "I'm glad the Queen chose traditional Welsh seaweed

to start the meal," Mr Jones said. The full menu was canapes with leek, laverbread and sea trout; asparagus salad with quail eggs in warm butter sauce; stuffed saddle of salt-marsh lamb with Pembroke potatoes and seasonal vegetables; Glamorgan strawberries with elderflower ice-cream; Welsh cheeses; coffee with warm Welsh cakes; and Welsh wines.

Some 75 people were invited: to the banquet all 15 heads of state and government came, with the

French and the Finns getting double helpings, as their Presidents brought their Prime Ministers with them. But not all the wives came: Hannelore Kohl stayed at home, perhaps either to keep the election campaign going or because she knew that last time her husband had a banquet in Britain, he was forced to eat British beef.

The wives of the leaders of Belgium, Luxembourg, Portugal, France and Austria followed suit.

The numbers were made up by foreign and finance ministers and Cardiff civic dignitaries. Guests sat at seven tables, some with the Queen or the Duke of Edinburgh, others with Robin Cook, the Foreign Secretary, or Ron Davies, the Welsh Secretary. They joined together afterwards on the castle ramparts to see the fireworks.

The banquet was the career pinnacle of Peter Jackson, the 41-year-old general manager and chef at the Hotel Maes-y-Neuadd

in Talsarnau, Caernarfon and Merioneth. He has brushed with celebrity before, cooking for Richard Gere while he was filming near by and assisting in last month's banquet for the Emperor of Japan.

The Cardiff challenge last night was white Cariatid wine, from the Llanerch vineyard in the Vale of Glamorgan. Jacques Chirac, the French President, and Lionel Jospin, his Prime Minister, were hardly in a position to make

French comments about Welsh wine, as France is covered in embarrassment at the adulteration of classic Bourdeaux and Burgundy wines. But the French were able, perhaps, to jog the memories of other summitisers about the banquet that must rank as one of the greatest gourmet achievements of all time: the 1995 "four chefs" summit in Lyons for G8 leaders. Some are still talking about those dishes.

Last night's dinner must have

been a light relief for the spouses, who have been subjected to a programme that is earnest even by the standards of benevolent good works demanded on such occasions.

Yesterday morning they listened to a lecture by a law professor from the London School of Economics; this morning they will attend a seminar on safe motherhood — a useful session, perhaps, for Paivi Hertzberg, 31, the wife of the Finnish Prime Minister Paavo Lipponen, but probably more useful to the grandchildren of the others.

# Rebate demand is no gimmick, say Germans

By Charles Bremner

GERMANY and The Netherlands set the scene for a long squabble over money when they insisted yesterday that they would fight for a cut in their countries' heavy input to the EU budget and demanded rebates along the lines of Britain's special arrangement.

Chancellor Helmut Kohl and Wim Kok, the Dutch Prime Minister, told EU leaders at the Cardiff summit that they expected a new deal for themselves as part of the complex package for reforming the EU before enlargement to the east. By far the EU's biggest paymaster, Bonn pays about £7 billion net into the EU treasury, according to its estimates. The Chancellor, in crusading mode with elections less than four months away, insisted that the German problem would not go away.

Werner Hoyer, the German Europe minister, said: "We are deadly serious. This is not an election gimmick. We want to make sure that nobody leaves Cardiff without a clear idea of burden-sharing."

Gerhard Schroeder, Herr Kohl's Social Democratic rival, said yesterday he shared the Chancellor's concern but noted that Herr Kohl had taken part in the decisions that had led to the German imbal-

ance. It would be tough to win back more money from Germany just as Europe needed to focus on funding the costly enlargement to the east.

Herr Schroeder said: "Tony Blair repeated Britain's refusal to reopen the issue of the special rebate from the £60 billion budget, which was won by Margaret Thatcher in 1984. A British official said Britain was still paying heavily despite its rebate. "Even with the abatement, which varies from year to year, but is around about £2 billion, we still pay £2.5 billion pounds a year... that makes us the fifth largest net contributor to the EU despite the fact that we are the 11th most prosperous state... so we pay our fair share."

However, Jacques Santer, President of the European Commission, said the British rebate would inevitably be questioned when the EU starts serious negotiation on the new budget breakdown next year. "All the cards have to be put on the table... if one country is paying less other countries have to pay more," he said.

Germany and its supporters are drawing some encouragement from a report from the Court of Auditors, the EU's financial watchdog, which depicts the British deal as "arbitrary" and inequitable since it

did not apply to other net contributor states.

However, the auditors say that any attempt to shift the burden away from Germany and the big contributors would shift a bill of billions of pounds per year onto the poorer countries of eastern Europe. The main recipients of EU spending, led by Ireland and the "Club Med" states of the south, are refusing to consider paying less. France and Italy, which break almost even in EU spending, are giving Germany little encouragement to open what they view as a can of worms. Jean-Luc Dehaene, the Belgian Prime Minister, also criticised the German approach, saying it neglected to allow for income generated for its economy by EU spending in Germany and other states.

British officials insisted yesterday that the share-out problem could be rectified by better EU housekeeping, redirection of aid and reforms to the common agricultural policy. The Commission must come up with proposals for the budget reform this autumn.

Jose-Maria Gil-Robles, president of the European Parliament, warned the leaders that squabbling over spending and reforms to the EU's institutions risked slowing down the EU's expansion.



Chancellor Kohl, who found official limousines a tight fit, arriving by luxury coach for the summit yesterday

# Bus delivers Kohl comfort

By Simon de Bruxelles

GERMANY'S larger-than-life Chancellor was the only European leader not to arrive at the summit by official car. Instead Helmut Kohl arrived by bus.

He has booked the luxury 22-seat coach to take him everywhere during the two-day summit. The white bus dropped him off outside city hall for his formal welcome by Tony Blair and later took him to Cardiff Castle for a banquet with the Queen. A member of the German delegation said that the official dark blue Rovers used by all the other summit

leaders were too small to accommodate Herr Kohl.

Until earlier this year the German embassy provided a more spacious Mercedes limousine for the Chancellor's official visits. However, Herr Kohl decided that that, too, was an uncomfortably tight fit.

He first used the bus for the Assam summit in London in March. He used it again for the G8 Summit in Birmingham last month. The specially adapted vehicle is being driven by Michael Grovesnor, 54, a former black cab driver from Birmingham who operates a fleet

of 30 luxury coaches. Yvonne Timmins, marketing manager of Grovesnor, said: "Mr Grovesnor met Herr Kohl earlier this year and they got on like a house on fire. He doesn't normally drive the coaches himself but he has made an exception for this particular client. Mr Kohl liked the bus so much the German embassy has booked it for all his visits to Britain."

The bus normally seats 30 in comfort but for Herr Kohl has been adapted to seat 22 passengers at tables with a lounge area in the middle. There is a video, a lavatory and a drinks cabinet.

# Football fans are kept on the ball

By Simon de Bruxelles

AS ENGLAND kicked off against Tunisia yesterday, Tony Blair was tucking into Welsh duckling with pinenuts, and preoccupied with a discussion about subsidiarity.

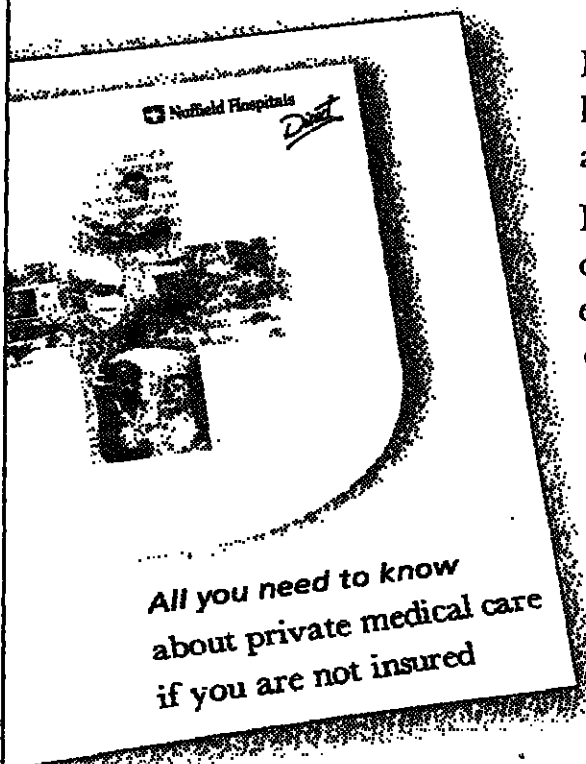
The soccer-loving Prime Minister's working lunch with his European counterparts had to take priority over England's first match in the World Cup. Alastair Campbell, Mr Blair's press secretary and himself a keen football fan, remarked: "I think it would be taken as profoundly un-European to chair a meeting and during that meeting to disappear to watch a match."

So the Prime Minister had to rely on 15-minute match updates from an aide watching television in a sideroom. Another aide was given the task of making sure the match was videotaped.

Robin Cook, the Foreign Secretary, and Gordon Brown, the Chancellor, were also hosting working lunches. Being Scots, they faced no dilemma about being in meetings during the England match.

But Helmut Kohl, the German Chancellor and also a football fan, faced a tricky problem last night when his country met the United States in their opening match, scheduled to kick off at the moment he was to be presented to the Queen. Mr Campbell said that the summit organisers would find a way to keep Herr Kohl updated during the banquet in Cardiff.

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# Defector says Willy Brandt was KGB agent

WILLY BRANDT, the former German Chancellor, architect of *Ostpolitik* and symbol of the country's Left, was also a Soviet KGB agent, according to information provided by a Russian defector.

The timing of the accusations is significant, coming in the middle of a general election campaign. Branding the Social Democrats as communist stooges has been part of the conservative election repertoire for five decades.

But, if true — and both the counter-espionage service and the federal prosecutor's office are taking the source very seriously — important sections of Germany's history may have to be rewritten.

Was Brandt's conciliatory policy towards Eastern Europe in the 1960s and 1970s influenced by his Soviet contacts? What was the relationship between the KGB and the East German Stasi, whose agent Günter Guillaume helped to bring down Willy Brandt?

The British security services, according to the magazine *Focus*, may already hold the key to these riddles. The source of the intelligence is a KGB colonel who had unrestricted access to certain foreign operational files and copied them down. The bundle of documents, including sketches of spy networks and hundreds of cover names in Western Europe, was intended to be the colonel's private retirement scheme.

He smuggled them out to his dacha outside Moscow. In 1992 he defected to Britain

Doubts about the hero of Germany's Left have suddenly surfaced in the election run-up, writes Roger Boyes

and, according to *Focus*, British agents retrieved the documents from a hiding place in his dacha. The British gave the agent the codename "Curb" and debriefed him until 1996. Then, in an operation codenamed "Weekend", he was shared with the Germans.

The agent supplied hundreds of precise clues about Soviet agents in Germany. "We felt quite uneasy when we realised what he knew. Moscow clearly has tons of black-mail material," said a counter-espionage officer quoted by *Focus*. The information cast light on 50 outstanding espionage cases and prompted the authorities to begin 12 new investigations. The Social



Günter Guillaume, he helped to topple Brandt

Democratic leadership was informed about the suspicions surrounding Brandt last year but chose to stay silent.

Brandt fled to Norway in 1933 after the Nazis came to power. Under his real name, Herbert Frahm, he was an activist in the Socialist Workers Party. He studied in Norway, returning briefly to Germany in 1936 with false papers to set up an anti-Nazi underground cell in Berlin.

Two years later he took Norwegian citizenship and, under the pseudonym Felix Franke, established a Swedish-Norwegian news agency. The purpose was to gather information both from Nazi Germany and from occupied Norway. It is already known that Brandt passed on some of this information to American agents from the Office of Strategic Services, the precursor of the CIA.

The agent "Curb" claims that he was also feeding the NKVD, forerunner of the KGB. His contact man was Vladimir Semyonov — later Soviet Deputy Foreign Minister and, in the 1960s, Soviet Ambassador to Bonn.

In 1947 Felix Franke, by then going under the name of Major Willy Brandt, was sent to Berlin as press attaché to the Norwegian mission. A German political career beck-



Willy Brandt with Willi Stoph, the East German Prime Minister, in Erfurt. *Ostpolitik* — the Chancellor's conciliatory policy towards Eastern Europe in the 1960s and 1970s, may have had a hidden Soviet agenda

oned: first as the influential Governing Mayor of West Berlin, then as a politician in Bonn, as Foreign Minister and finally Chancellor. He was forced to resign in 1974 because of the betrayal of Guillaume, and became Social Democratic Party chairman. He died of cancer in 1992.

Until his death, he fretted over the possibility that a close party colleague, Herbert Wehner, might have been a Soviet agent. This suggests that Brandt himself was not

involved with the Russians. But there have been repeated stories, especially in Sweden, about his links with the East. The Swedish security police kept him under surveillance during the war years and a report about his Eastern contacts was leaked in December 1966, two weeks before Brandt was sworn in as Vice-Chancellor and Foreign Minister of West Germany.

Brandt was the first Social Democrat to become German leader after the war and his rhetorical style and campaigning techniques have been borrowed and developed by the new generation of politicians. Both Herr Schröder and Herr

Lafontaine have been trying to lay claim to the title of heir to Brandt. If the KGB accusations are proved correct, they may be less enthusiastic.

This, to some degree, explains the party's silence on the issue. Peter Struck, the party's chief organiser, was approached by a counter-espionage officer last year and given the information on Brandt. "I told him immediately: this is something that will re-emerge in the election campaign."

## Safety fears hit German railway

FROM ROGER BOYES IN BONN

PUBLIC confidence in Germany's once-fabled rail network is buckling as a result of daily revelations of safety lapses, highlighted by the news that the wheels on 59 high speed trains are to be replaced.

The memory of the country's worst rail disaster, which killed 98 passengers in north Germany two weeks ago, lingers in the obituary columns and on the platforms. German railways yesterday began replacing the wheels of 59 first-generation Inter City Express (ICE) trains.

A broken wheel is the most likely cause of the crash and local city trains have been reporting problems with their wheels. ICE trains have been withdrawn from service three times in the past ten days for tests.

Opinion polls show that 34 per cent of Germans feel less confident about train travel and 3 per cent have lost faith in trains altogether. Passenger volumes on ICE trains have dropped steeply.

Confidence will be further damaged by the revelation yesterday that a Munich-Dortmund train had to be stopped after the driver was found to be drunk.

The German police trade union has increased tension with a declaration that it could no longer guarantee against sabotage on the railways because of cutbacks.

## City that Joyce loathed celebrates his genius

FROM RICHARD OWEN IN ROME

ROME today begins two weeks of celebration devoted to James Joyce — even though the writer spent just seven months and seven days in the Eternal City as a bank clerk, and hated it.

Joyce scholars said the author of *Dubliners*, *A Portrait of the Artist as a Young Man*, *Ulysses* and *Finnegans Wake* was drawn to Rome by the joint lure of Catholicism and the heritage of the classical world. But his companion Nora Barnacle, later his wife, was pregnant; he found the Italians irritating, was chronically short of money, drank heavily and did not write a single line for publication.

He did, however, according to Italian scholars, have the idea of a novel consisting of a single day in the life of Dublin — the germ which became *Ulysses*, his masterpiece.

June 16 is known as devoted Joyceans as "Bloomsday", because the novel follows the wanderings round Dublin on that day of the bungling and emaciated Leopold Bloom, his blowsy and lubricious wife Molly, and the witty but embittered Stephen Dedalus. Fans of Joyce, from Sydney to Buenos Aires, will be commemorating the event.

Delegates to the sixteenth symposium of the International Joyce Foundation in Rome will mark the occasion with a ceremony at the cliff-top Villa of Tiberius near Sperlonga, on the Lazio coast south of Rome, in tribute to Joyce.

"Joyce returns to Rome," said the headline in *La Repubblica*. There will be exhibi-



Joyce: idea for *Ulysses* "germinated" in Rome

tions, tours of Joyce's Rome, and lectures by Umberto Eco, the Italian author, and specialists on Joyce such as Hugh Kenner and Declan Kiberd.

Professor Giorgio Melchiori, one of Italy's leading Joyce experts, said the author had "found the beauty of ancient Rome too much to stomach" during his brief stay in 1906. "He profoundly detested the city of the Pops."

Joyce, educated at Catholic schools and at University College, Dublin, fell in love with Nora, a chambermaid, in 1904, when he was 22. They went to Trieste on the Adriatic (then part of Austria-Hungary) in 1905, where they were to stay for ten years before moving to Zurich and then Paris after the First World War began. The Rome interval came only a year after Joyce and Nora had settled in Trieste, and the birth of their first child, Giorgio.

The budding writer successfully applied for a job as a multilingual clerk with a Ger-

man bank in Rome. But no sooner had they arrived than Nora was pregnant again, with Lucia, their second child. Joyce was disappointed by the tourism surrounding Rome's ruins, saying it was like "someone making a living by showing travellers his grandmother's corpse".

In Rome, Joyce wrote nothing except letters to his younger brother Stanislaus, whom he had left behind in Trieste. "It was a desolate time for him, but also precious, because as Joyce walked the streets *Ulysses* was germinating in his mind," Professor Melchiori said. "In Rome he rediscovered Dublin, feeling from a distance an affection for his native city that he had not felt when he was there."

Joyce started work at the bank on August 1. When he was thrown out of his lodgings for drunken behaviour, the writer and his family moved to rooms near the Tiber, with a view of the river and Castel Sant'Angelo.

In detailed letters to Stanislaus, Joyce described Italian life, which strikes most expatriates as agreeable, as "insufferable".

To add insult to injury, he was robbed of his wallet on his last day at the bank, after a drinking session with two local postmen, during which he was seen dancing in the Villa Borghese Gardens.

"It was the culmination of a period of alcoholism and misery," Professor Melchiori said. "On the other hand, the experience may have given him ideas not only for *Ulysses* but also for his play *The Exiles*, the germ of which also came to him while he was in Rome."

## Talks open on court for war crimes

Rome: Kofi Annan, the United Nations Secretary-General, calling for a "bulwark against evil", opened a conference here yesterday to establish a permanent International Criminal Court to punish genocide, war crimes and crimes against humanity.

Launching five weeks of negotiations, Mr Annan urged nations not to be deterred by US objections. "No one country, I would hope, would want to be responsible for the failure of this conference."

Shortly before the conference opened, Nato announced that its troops had arrested another indicted Bosnian Serb war crimes suspect, Milorad Krnojevic, a former prison camp commander. He was detained in Foca in southeastern Bosnia. (Reuters)

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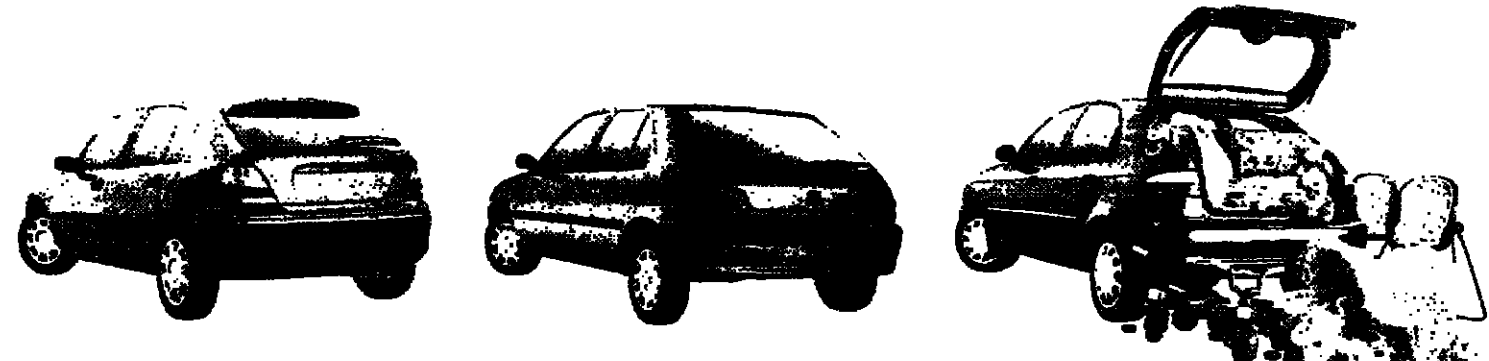
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# Nato jets stage show of power to warn Serbia

EIGHTY Nato aircraft took off from five countries yesterday on a mission along the Yugoslav border to demonstrate to Serbian forces in Kosovo that the alliance could muster waves of bombers at short notice for future raids.

The display of firepower — a flow of F16s, Tornados, Jaguars, EF18s and support aircraft through Albania and the Former Yugoslav Republic of Macedonia — lasted some six hours. Lieutenant-General Michael Short, Commander of Allied Air Forces, Southern Europe, at Aviano in northern Italy, said it had been "a long wagon train" of aircraft flowing for 120 miles through the exercise air space.

The exercise, codenamed Determined Falcon, which had been approved by Nato defence ministers in Brussels last Thursday, coincided with the visit of President Milosevic, the Yugoslav leader, to Moscow. Alliance governments are hoping that, during a meeting in the Russian capital today, he will receive a firm warning from President Yeltsin to stop the repression by his forces in Kosovo.

European Union foreign ministers yesterday added their warning to the ultimatum issued by the six-nation Contact Group on Yugoslavia last week to Mr Milosevic, but refused to be drawn into the argument over whether Uni-

**Michael Evans and Michael Binyon report on six hours of muscle-flexing**

ted Nations authorisation is needed before Nato can use force over Kosovo.

At the European Union summit in Cardiff, the 15 ministers endorsed the four immediate demands that President Yeltsin will put to President Milosevic in Moscow: halting all military operations against Kosovo civilians; allowing effective international monitoring; allowing all refugees to return home; and making rapid progress on dialogue with the ethnic Albanian leadership in Kosovo.

They urged Mr Milosevic to take advantage of his meeting with Mr Yeltsin to signal acceptance of these points. But they gave a clear warning that force might be used if he ignored the issues.

"Unless these four steps are taken without delay, a much stronger response, of a qualitatively different order, will be required to deal with the increased threat to regional peace and security," they said.

The air operation involved aircraft of 13 Nato countries. Among the first to take off from Aviano were two F16s of the Portuguese Air Force. They were followed by a dozen F16s from the US 31st Fighter Wing and eight Spanish EF18s, RAF and French Jaguars, German Tornados and F16s from six other air forces joined the phalanx, sweeping over the Adriatic to cross Albania into Macedonia.

Their final manoeuvre was to fly at 2,000ft over Tirana, the Albanian capital, before returning to their bases.

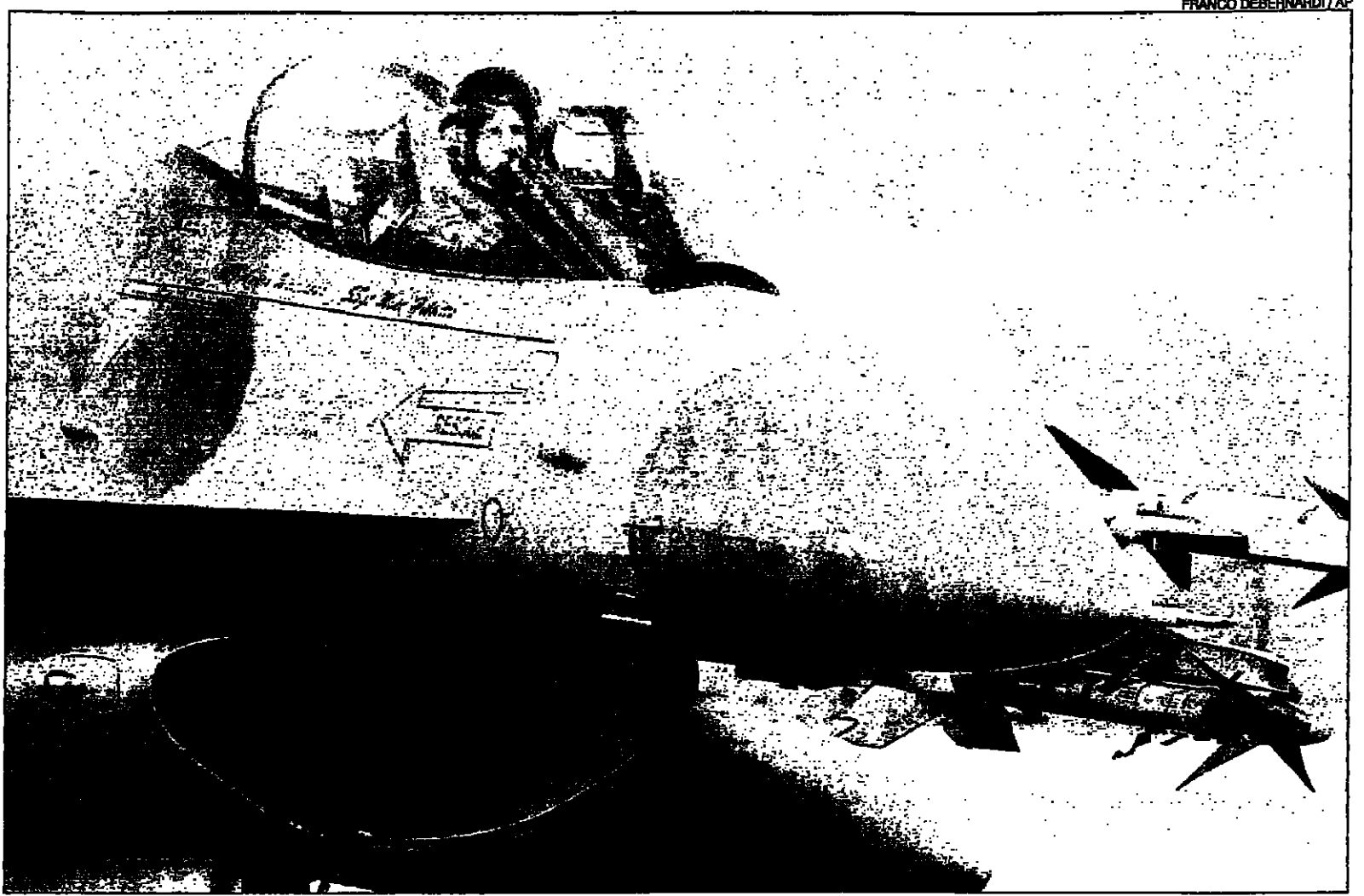
Although there was no live firing, the deployment of so many aircraft in a circular manoeuvre round Albania and Macedonia — flying as close to the border with Serbia as possible — was hailed last night as a successful example of Nato's new "out-of-area" role.

Serbian forces moved anti-aircraft missile batteries to the border in anticipation of the Nato flights but no incidents were reported of radars locking on to passing jet fighters. General Short said: "We were not directly challenged."

Although most of the aircraft took off from bases in Italy, the Greek Air Force launched two F16s from its base at Nea Anchialos, and other planes flew from Istres in France, RAF Mildenhall in Suffolk and Geilenkirchen in Germany. Four US Marine AV8 Harriers also took off from USS Wasp, an amphibious assault ship in the Adriatic. Fifteen bases were used.

Britain had sent six Jaguars from RAF Coltishall in Norfolk, although only four were used in the exercise. A Ministry of Defence spokesman said that the six Jaguar ground-attack aircraft would remain in Italy for as long as was required by Nato.

The first aircraft took off from Aviano at 7.55am, although air-refuelling tankers and Awacs reconnaissance planes had been airborne several hours earlier. Two aircraft suffered technical



A US F16 taxis for take-off in Aviano, Italy, yesterday as part of Nato's Determined Falcon operation to deter Serbian repression in Kosovo



## Alliance 'mised Kremlin general'

FROM ROBIN LODGE IN MOSCOW

RUSSIA

PRESIDENT Milosevic of Yugoslavia flew to Moscow last night for talks with President Yeltsin on Kosovo, amid signs of a rift between Russia and Nato over ways of dealing with the ethnic crisis.

Just hours before he left Belgrade, Russia accused Nato of misleading it over the holding of air manoeuvres close to the Yugoslav borders and recalled General Viktor Zavarzin, its top military envoy to the alliance. But Nato officials said his withdrawal had nothing to do with the manoeuvres. The Russians gave no reason for the move.

General Igor Sergeev, the Russian Defence Minister, who held talks last week in Brussels with senior Nato figures, said he felt he had been misled. "We discussed Kosovo in detail, agreeing to solve the problem first of all by political means. And all of a sudden, on arrival in Mos-

cow, I learn about the start of the exercise. That was a surprise," the Interfax news agency quoted him as saying. General Henry Shelton, Chairman of the US Joint Chiefs of Staff, said after meeting General Sergeev in Moscow yesterday that the manoeuvres were aimed at reinforcing Mr Yeltsin's diplomatic initiative. The Russians will be anxious to demonstrate to Mr Milosevic that they are determined to defend Yugoslavia's interests. This will make it easier for them to exert pressure on Mr Milosevic to put a stop to the repression in Kosovo.

Russia insists that any use of force against Yugoslavia must be sanctioned by the United Nations Security Council. But Moscow is almost certain to exercise its veto in the Security Council if the issue of force was raised.

problems and were replaced by two others.

General Short said: "I hope a message is not lost on any would-be adversary of this alliance... that we can project power." He said the exercise was carried out under peacetime rules of engagement. "That means air crews have the inherent right to self-defence but we will do nothing to provoke a response."

Javier Solana, the Nato Secretary-General, who had earlier warned Mr Milosevic to avert military action, said: "We have shown that we are prepared to act if necessary... to find a solution to this terrible problem of Kosovo."

Leka Zog, son of the former King Zog of Albania, said in London yesterday that Nato's "show of force" would have no

impact on the Serbs. "Only real force will have any effect," he said.

Leka, who has demanded self-determination for the Albanian majority in Kosovo, sent a letter last week to every foreign minister from the Contact Group, calling for direct action to stop the violence in Kosovo.

Leading article, page 23



Javier Solana, the Nato Secretary-General, at a press briefing in Warsaw about yesterday's display of force

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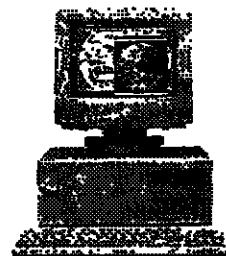
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### Horn of Africa foes halt airstrikes

Asmara: Despite both sides' agreement to halt airstrikes in their undeclared border war, under a deal brokered by the United States, Ethiopia yesterday reinforced its front lines and said it would not negotiate peace until Eritrean troops withdrew from disputed territory.

The Ethiopian Foreign Minister, Seyoum Mesfin, accused President Afewerki's Government in Asmara of trying to involve Middle Eastern countries "by exploiting suspicion and mistrust and even military assistance". Asmara believes the mediation phase is over, and face-to-face negotiations chaired by a third party are needed.

Mr Seyoum accused Eritrea of holding thousands of Ethiopians in camps before dumping them on the border.

There were reports from Adigrat, midway along the border, of trucks loaded with munitions lumbering through the town early yesterday in the direction of the front line, about 12 miles to the north. In Adigrat, the Ethiopians continue to prepare for an assault on the border town of Zalambessa, captured by the Eritreans almost two weeks ago. (Reuters)

# Faithful Clinton ally digs for dirt on Starr

FROM TOM RHODES IN WASHINGTON

JAMES CARVILLE, President Clinton's former campaign manager and most outspoken ally, is amassing a dossier of material to discredit enemies of the White House. A uniquely vociferous Clinton defender known as the Ragin' Cajun — he hails from Louisiana — Mr Carville has collected more than 38,000 pages of documents and another 5,000 pages on computer disks.

The papers, which reveal an organised smear campaign against Mr Clinton's enemies, have been subpoenaed by Judicial Watch, a legal foundation investigating the various White House scandals.

They include files on Newt Gingrich, the House Speaker, and Henry Hyde, chairman of the House Judiciary Committee, as well as records on Richard Mellon Scaife, a phi-

lanthropist who financed inquiries into the White House. Paula Jones, the former Arkansas employee now appealing to reinstate her sexual harassment suit against Mr Clinton, is also prominent, as is Kathleen Willey, the woman who claims the President groped her.

However, the most prominent target of Mr Carville's operation, known as the Education and Information Project, is Kenneth Starr. The independent prosecutor investigating both Whitewater and the President's alleged 18-month sexual relationship with Monica Lewinsky, a former White House trainee, has come under intense scrutiny.

Mr Carville has collected the prosecutor's voting and driving records, as well as court documents on personal matters such as mortgages



James Carville, left, has amassed a big smear dossier on White House enemies, particularly Kenneth Starr, right



and deeds, and unsubstantiated rumours about Mr Starr's personal life that have been passed to reporters.

Founded 18 months ago, the project has attempted to portray itself as primarily concerned with the defence of the President. But its primary background goal is clearly cited as "targeting key Republican players used in attacks against the Administration and the Democratic Party to

expose their hypocrisy and partisan nature".

One memorandum relating to Mr Starr and published by *The Washington Times* says: "Should any of these or other projects on Starr yield any new information, we would be able to once again focus the media's attention on him."

In a fax sent in 1996 to Paul Begala, his former partner who was about to return to the White House as a strategist,

Mr Carville offers a typical rant. "The President's attacks are a motley band, consisting primarily of perjuring partisan politicians, strumpets, Nixon apologists, hired guns for cigarette companies, felons, judges who trade favours for jobs; bitter, defeated, pathetic former political rivals of the President; Hillary-hating misogynists; trolls and hate-radio hucksters feeding an endless line of

lies and half-truths to jealous journalists.

Mr Carville yesterday made no apology for research he said was professional but not personal. "You know what people have said about me? That what I am doing is criminal, that I'm going through a mid-life crisis, that I'm insane, that I'm demonic," he said. "No one has ever said about me that I'm not effective."

### WORLD IN BRIEF

## Hundreds more die in Bissau

Dakar: Hundreds of people were reported dead yesterday in Guinea-Bissau, where numerous troops have been fighting loyalist forces backed by Senegal.

Diplomats said automatic weapons fire erupted inside Camp Bra in the capital Bissau, belying an announcement at the weekend that troops loyal to President Vieira had captured the camp, held by rebels backing General Ansumane Mané, the former armed forces Chief of Staff. One official said he saw more than 100 bodies littering the streets of Bra, where he said houses had been looted and set on fire. (AFP)

### Teacher shot

Washington: A teacher and another employee were wounded in the latest school shooting to plague the US (Tom Rhodes writes). The attack took place in Richmond, Virginia. Two male suspects were held.

### Cave girls found

Beijing: Two teenage girls who got lost in a cave in the southwest province of Guizhou when their candle went out survived without food for 42 days, but two others died, the Xinhua news agency reported. (AP)

### Famine toll 2.5m

Seoul: Hwang Jang Yop, the highest-ranking North Korean to defect, who arrived in South Korea in April via Beijing, estimated that 2.5 million North Koreans had died in the last three years from famine. (Reuters)

### Launchers seized

Ankara: Turkish authorities seized seven missile launchers aboard a Russian-crewed cargo ship that they intercepted in the Dardanelles strait, Russia denied the launchers were destined for the Greek Cypriot Government in Nicosia. (AFP)

### Four lynched

Johannesburg: A 1,000-strong mob, mostly women, lynched and burned four alleged killers in a squalor camp near Diepsloot, between Pretoria and Johannesburg, local media said. Police confirmed they had died. (Reuters)

### Gun club killing

Berlin: A member of a north German gun club in Ribnitz-Damgarten shot dead two fellow members and wounded two other people before killing himself after a row with his wife. She was one of those injured. (Reuters)

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## Polo designer gets on his high horse

FROM TUNKU VARADARAJAN IN NEW YORK

RALPH LAUREN, the fashion designer, has sued the United States Polo Association for violation of copyright, alleging that its use of the word "polo" in the title of its official publication is an infringement of his trademark "Polo" line of casual clothing.

Mr Lauren wants the association, which oversees a game that was first played in Persia before the Christian era — and which was given its modern form in the 1850s by British Army officers in India — to stop calling its house journal the *Polo Magazine*.

The dispute began when the 23-year-old magazine was redesigned as a glossy "lifestyle" publication by its editor, Steve Connatser. Mr Lauren, alarmed that the revamp would cause people to view it as related to his Polo line, sued the association. The polo set counter-sued.

In an article in *The New York Times*, Richard Dooling, a trademark lawyer, poked fun at the designer, referring to polo as "poo". He suggested that the 13th-century Venetian traveller "formerly known as Marco Polo, should simply be referred to as Marco", lest people "assume that Ralph had designed the atrocious outfits worn by the upscale Mongolians".

Ralph Lauren: says his trademark is infringed

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Launchers seized

Four lynched

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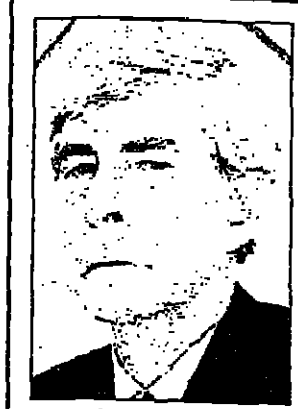
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The Times. The exclusive UCI Cinemas is valid for any 5 more days from Monday June Thursday July 13 1998. With 30 more than 25 screens to choose UCI are the leading force in cinemas within the UK and Ireland showing include: City of Angels, Cage as Seth, a great who falls in love with a 5 been surge in played by Meg Ren. 12. In on June 19: The Of Affection, with Jennifer Aniston Paul Rudd in a refreshing Nine the sex and friendship (Cert. 12) June 20: Six Days Seven Nights starring Harrison Ford as a hard-boiled pilot and Anne Heche in a magnetic exhibitor forced to each other after their flight makes scheduled stop (Cert. 12. From there is also the re-issue of Great starring brand new songs and the footage (Cert. PG, from July 13) For details of what's on at your UCI Cinema call 0990 88 88 90 or bookings please!

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Penfold: not yet out of the firing line

### Freetown envoy gets a hero's welcome

By MICHAEL DYNES

PETER PENFOLD, the British diplomat at the heart of the arms-to-Africa affair, has returned to a hero's welcome in Freetown after an inquiry into claims that British officials helped to break a United Nations arms embargo. Mr Penfold was carried through the streets of Sierra Leone's capital by a throng who had nothing but praise for his role.

Sierra Leone's elected Government was restored to power in March after Ecomog, a West African intervention force, expelled the junta that seized power in a bloody coup in May last year.

Mr Penfold was recalled to London for questioning over claims that he was indirectly involved in helping Sandline, the British mercenary company, to deliver 30 tonnes of weapons to the legitimate Government of Sierra Leone in violation of the UN embargo. He became a popular hero in Sierra Leone after calling on the junta to surrender.

The arms-to-Africa inquiry has yet to publish its findings, but the UN Security Council has partly lifted the embargo. Mr Penfold is not, however, out of the firing line. He is expected to be summoned by the Foreign Affairs Select Committee this year to face further questions about his role in the counter-coup that restored President Kabbah.

# Arms inspector signals end of Iraq sanctions

FROM MICHAEL THEODOULOU IN NICOSIA

EIGHT years of sanctions against Iraq could end within months if Baghdad honoured a new deal to resolve outstanding disarmament issues, said Richard Butler, the United Nations chief weapons inspector.

The two sides reached agreement at the weekend on an accelerated work programme to be completed by August.

"The light at the end of the tunnel today is more visible than [at] any time," an uncharacteristically upbeat Mr Butler said in Baghdad after four rounds of talks with Iraqi officials.

He will return to Iraq on August 9 to review progress, and said he hoped to be able to give Baghdad a clean bill of health when the UN Security Council reviews sanctions two months later.

The agreement underlined continuing, if lukewarm, co-operation between the two sides after the crisis in February when American and British forces nearly went to war to force Iraq's compliance with weapons inspectors.

Airstrikes on Iraq were averted at the eleventh hour when Kofi Annan, the UN Secretary-General, flew to Baghdad and cajoled President Saddam Hussein into allowing inspectors unfettered access to every inch of Iraqi

territory. The deal included presidential sites that had been out of bounds.

Since then, with the Security Council split and amid growing concern for the suffering of Iraqis, international pressure has increased to bring both the verification process and sanctions to an end.

Despite the weekend deal, deep suspicions remain on both sides. Previous Iraqi promises to comply have been followed by evasion, procrastination and obstruction.

However, Mr Butler, an Australian diplomat who is frequently vilified by Iraq as an "American agent", sounded unusually conciliatory. The success of the deal

depended on Iraq fulfilling its promises by providing access to "materials and documents", he said, but added: "My estimation is that the work will be of high quality with a high degree of co-operation from both sides. I am very positive about it."

But a senior Iraqi diplomat said that even if the UN gave Iraq a clean bill of health on weapons, Washington would promptly widen the goalsposts to ensure that sanctions remained while President Saddam was in power.

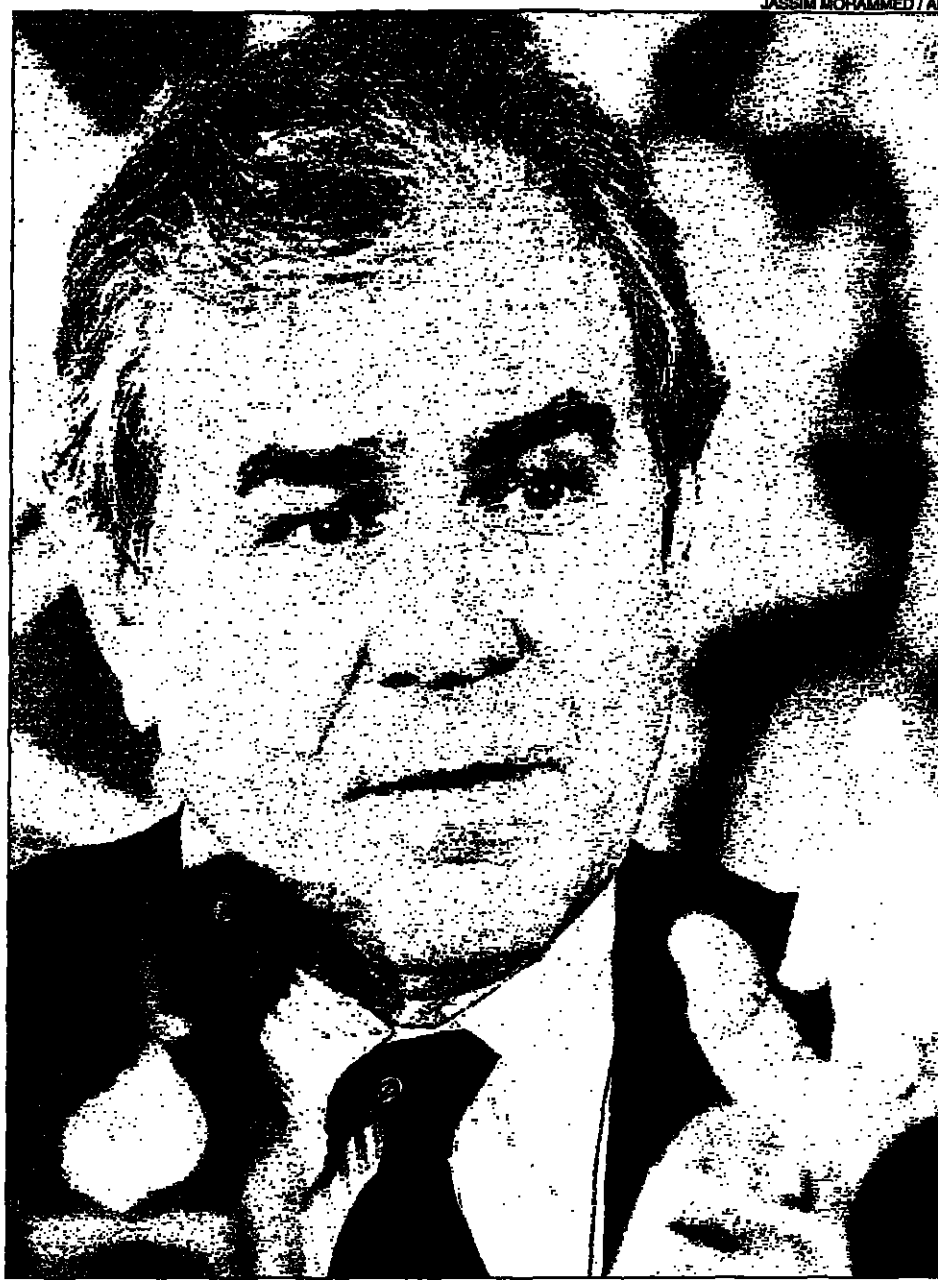
"They will raise the question of the missing Kuwaitis, and say Iraq also has to demonstrate peaceful intent," the envoy said. "How do you prove something like peaceful intent?"

Kuwait says some 600 citizens are missing since the emirate was liberated by the international coalition in 1991, and believes Iraq is holding them as hostages.

Mr Butler provided few details of the announced deal, but he had travelled to Iraq with a "road map" of demands that included a definitive list of information his men said they still needed on chemical, biological and ballistic weapons. Progress appears to have been made on the last. Initial results of excavations outside Baghdad appeared to match Iraqi declarations that it had



Tariq Aziz, Iraq's Deputy Prime Minister, yesterday



Richard Butler, United Nations chief weapons inspector, in Baghdad yesterday

destroyed 45 chemical and biological missile warheads.

□ Baghdad: Mohammed Mehdi Saleh, the Iraqi Trade Minister, said delays in purchases of oil industry spare parts were threatening Baghdad's expanded oil-for-food

deal. Mr Saleh said the US and Britain were trying to introduce an unnecessary UN resolution covering the purchases which, he said, aimed at curbing Iraqi oil exports.

He also said that Iraq would reject any decision changing

the accord — expanded this month to allow Baghdad to sell \$4.5 billion (£2.7 billion) of oil from June to December to finance humanitarian contracts — from a six-month renewable deal into a rolling programme. (Reuters)

### Beijing worried by slide of yen

FROM JAMES PRINGLE IN BEIJING

CHINA appeared yesterday to be preparing the ground to reverse its policy of not devaluing its currency, the yuan, when state-run financial newspapers attacked the United States and Japan for failing to shore up the yen, which continued to depreciate in value yesterday.

Beijing has maintained that it would not devalue because a weaker yuan could trigger a potentially negative wave of competitive devaluations throughout Asia.

But diplomatic observers said China was losing patience with Japan and the US as the yen continued to fall. The newspapers all reflected Beijing's policy.

In a front-page commentary, the *Financial News* said the cheaper yen allowed Japan and the US to pass on their domestic economic shortcomings to other countries. It complained that Washington was reluctant to reduce interest rates and intervene in currency markets to support the yen because such action could lead to capital flight from what some economists believe is a "bubble economy" in the US. Tokyo was also unwilling to act because a weaker yen boosted exports and corporate profitability.

But the paper gave a warning that the sagging Japanese currency could destabilise the world economy.

Last week Dai Xianglong, the governor of China's central bank, seemed to preface a policy change when he complained the cheaper yen was having a "very negative" impact on China's trade, capital inflow and economic reforms. This was widely interpreted as a signal that there were limits to the pain Beijing would endure in supporting its currency.

China's exports fell 1.5 per cent last month, the first decline in two years.

□ Consuming anger: Fifty Chinese state workers, protesting at unpaid salaries in northern Hebei province, stormed a municipal building and had all the food and drink. (Reuters)

Leading article, page 23

## Anti-immigrant party defends 'cultural intolerance'

FROM ROGER MAYNARD IN SYDNEY

THE race debate continued to dominate Australian politics yesterday as the One Nation party of Pauline Hanson stepped up its attacks on Asians and Aborigines.

In interviews that threatened to alienate indigenous people further and widen the gulf between Australia and its Asian neighbours, party leaders moved to justify their views. Ms Hanson pledged to abolish the Aboriginal and Torres Strait Island-

er Commission (Atsic) if One Nation repeated its weekend success in Queensland by holding the balance of power in the federal Senate. "What we've got to do is abolish Atsic and start treating everybody equally. You'd be surprised by the support I've had on that, even from Aboriginal people," she said.

Ms Hanson also turned her sights on Indonesia, revealing that she would oppose further international financial assistance such as the multibillion-dollar economic rescue package. "They've got to look after

themselves," she insisted. Another One Nation executive, David Oldfield, defended the party's anti-Asian immigration policy. He said it had struck a chord with a disaffected public, concerned about the "Asianisation" of Australia, but rejected accusations of racism.

"The thing that you have to look at is that Australians, like Asians and like everybody else, are a little culturally intolerant of each other," he said. "It's not a matter of racism, it's a matter of cultural intolerance. It doesn't mean we're better or they're

better or either of us are worse — we are simply different."

The Cabinet was in crisis session last night. As the One Party juggernaut continued to gain momentum, John Howard, the Prime Minister, was closeted with ministers in Melbourne, resisting pressure to abandon key government policies.

Faced with soaring support for Ms Hanson's party, the Liberal-National coalition will almost certainly be forced to postpone the general election, which was expected in August. As the ramifications of Ms Han-

son's support became clear, Aborigines threatened to press for an international boycott of the Olympic Games in Sydney in 2000. Geoff Clark, the Native Title Co-ordinator, said talks would be held in Canberra on Thursday about a boycott.

It may be at least a week before the final result of the Queensland election is known. While Labor remained cautiously optimistic about scraping home, Rob Borbidge, the state's Liberal Premier, said last night that he would not rule out a coalition with One Nation.

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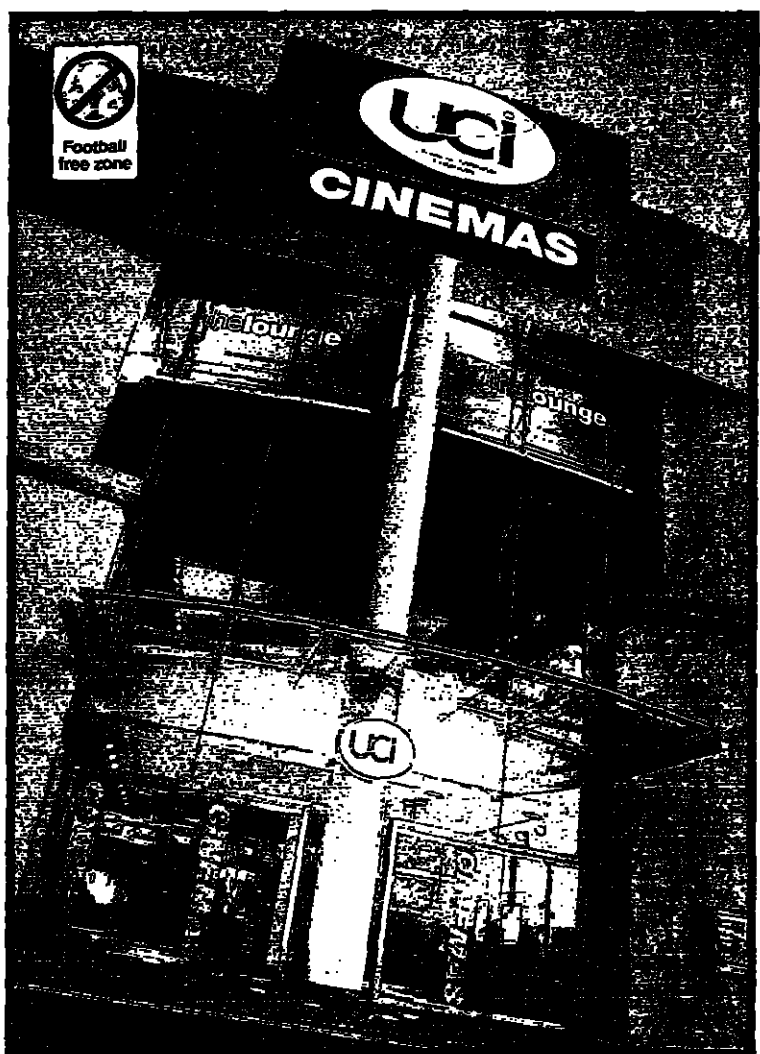
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For details of what's on at your nearest UCI Cinema call 0990 88 89 90 (no bookings please).



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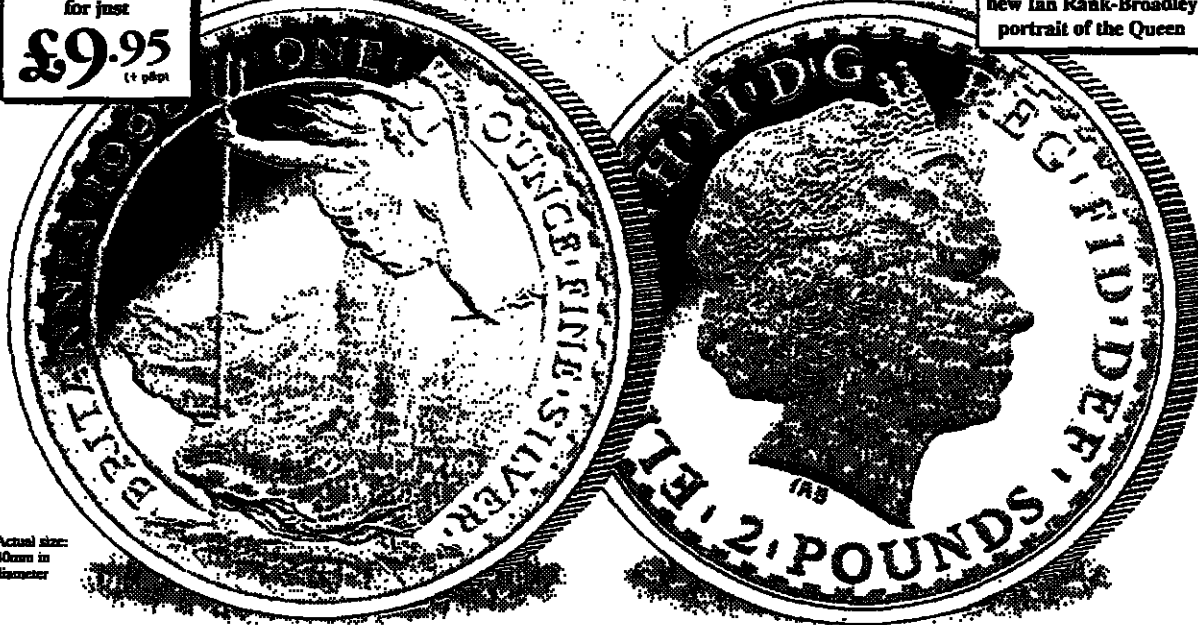
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# Science proves men can't iron

**Grace Bradberry finds that men are congenitally incapable of doing household chores**

The notion that men are "congenitally incapable" of ironing, washing-up and removing the ring from the bath, is one that habitually arises when two or more women gather together and discuss cohabitation. Nobody, male or female, seriously believes it. There are men who cultivate an air of incompetence. Equally, there are women who accept the unequal division of domestic drudgery as though it were biologically determined. There is no reason, however, to suppose that the iron bends to the will of womankind any more than mankind. At least that's what I'd always thought.

But the makers of a new Channel 4 series, *Why Men Don't Iron*, think differently. Using scientific studies, they have examined why it is that men are, variously, distracted, competitive, incompetent, insensitive and generally hopeless, and concluded that it is a case of nature over nurture. A cast of experts is produced to support the thesis, and there are some horribly fascinating studies, in which adults and children play out their traditional roles to perfection.

In one alternately hysterical and depressing sequence young children are filmed playing, unsupervised, with Plasticine. At the end of the session, the little girls have produced complete sets of carefully cut out shapes. The little boys have created a terrible mess that the cleaners will have to deal with later.

The series also justifies that oft-heard male line "I can only do one thing at a time". Take Kevin Beck, an engineer who chose to look after the children while his wife went out to do her higher-paid work. Eventually he was destroyed by the futility of it all: "You paint the walls, they put fingerprints on them, you vacuum, they drop something, I spent all day doing that."

Are women less susceptible to this existential angst? We aren't told. But Kevin's inability to combine more than one pointless task is analysed in depth. "I have to do things one at a time," he says. "When I start something I have to get it finished. I can't multi-process, as Lisa calls it."

The programme acknowledges that this may be down to social conditioning, but it also points to sex differences in neurochemistry as another factor. Michael O'Boyle, associate professor of psychology at Iowa State University, suggests that "the female brain exhibits highly integrative state, being able to access a variety of different regions rapidly on both sides of the brain in a small amount of time and in a very efficient manner."

Six men and six women are then put through a psychological test. Shut in a kitchen one after the other, they are each given ten minutes to fulfil a series of tasks that includes washing-up, making coffee, toast, scrambled eggs and ironing a shirt. The best contestant



Mettle and iron: men are conditioned from an early age to find someone else to do the job for them. They will exist without loo roll, clean plates, even toothpaste rather than walk to the nearest shop

was a woman, the two worst were men. Overall, the women scored better than the men, with one male exception. Was it that the men were indeed congenitally incapable, or did they just lack practice? One of the lowest scorers said: "I wouldn't normally rush around like that... I'd have planned everything better, or bought a takeaway."

Isn't that really at the heart of it? Men are conditioned from an early age to find someone else to do the job for them. In a contest of Who-Can-Leave-The-Kitchen-Bin-For-Longest, men will always win, unless their partners have bad sinuses. They will exist without loo roll, clean plates, even toothpaste if necessary, rather than walk to the nearest shop.

Those without women do leave the house for a domestic purpose. On Saturday mornings I spot them wandering down the road clutching enormous bundles of shirts, which they dump on the counter at the dry cleaners. To cut down on the "multi-tasking", they do not trouble to put them in a bag.

One particularly male skill seems, in fact, to be this uncanny eye for "unnecessary" stages that can be eliminated — such as using a laundry basket. I once let a friend

stay in the room of my male flatmate who was on holiday. Entering his room on a reconnaissance mission, I waded through 15 pairs of boxer shorts — stuffed behind radiators, sandwiched between newspapers and draped over dirty glasses. How could he live like this?

The series does not provide a definitive answer, but it does offer a part-by-part excuse for any man who feels the need to come up with one. Where the enterprise falls down, in my view, is in providing too much information. As Aldous Huxley wrote: "Several excuses are always less convincing than one."

And so it is that just as the anonymous narrator is letting men off the hook for their poor verbal skills, he dumps them in it on the ironing front. "Electrical activity in the male brain is concentrated mostly in the right half," he tells us. "In the female brain, it is spread across both." And this is why, on average "females perform better on verbal tests, and males do better on spatial-mechanical tests."

Surely the latter skills are just what ironing demands? The logical conclusion would be that men should iron, while women talk. Oddy, the series doesn't draw it. **Why Men Don't Iron begins on Channel 4 on June 23 at 9pm.**

## SOME PRESS ON ALONE... OTHERS PAY SOMEBODY ELSE TO DO IT

IT IS as ridiculous to believe a man when he says he cannot iron as when he says he cannot cook. He is either lying and looking to be mothered or else mal-coordinated beyond repair. Either way, he is not to be trusted. Also worth avoiding is the ironing obsessive who lines up the spray, starch and steam-spraying, multi-function iron on his board and then handles each shirt as though it were the Turin Shroud. Such kinky behaviour, evident in readers of men's health magazines, is the give-away sign of one who stops in the midst of sexual activity to fold his trousers over a chair. Bad news all round.

In between, however, lies a golden mean where, when the situation demands, a man can whizz an iron over a shirt and stride confidently out to meet his day's engagements. There is nothing effete about it: it suggests a robust self-sufficiency and self-respect.

My own ironing days began when I started work after leaving university. Before that, at boarding school, my shirts disappeared magically on a Monday

to reappear pressed and perfectly creased on a Thursday. At university you could get away with chucking any laundry in a machine, drying it and sticking it back on again. Only the nice boys in the debating society and Conservative Association bothered with ironing. Work, however, meant each morning had changed. Added to the schedule of showering and shaving came five minutes grinding away at a fly-away collar or tetchy cuff. It was boring but easy, much as changing a tyre or cooking breakfast is easy. You can tell a man who leaves the task of ironing to others by the creases in his shirtsleeves, left by folding. He may receive his shirts neatly stacked, but the tell-tell sign of laziness will nonetheless show. If the bombs should fall, however, I will be there, ruins all round me, but a pressed shirt on my back, a thin shield of protection against the domesticity-retarded and pitiable non-ironers.

PHILIP DELVES BROUGHTON

FOR the past five years, I have been spending upwards of £30 a month on ironing. The ritual, even though I married three months ago, never changes. A woman arrives at my door, gathers a bundle of my shirts and trousers into a black plastic sack, weighs the bundle and then works out the cost on a pence-per-kilogram basis. The next day, driving a small red van, she returns my clothes on metal hangers, immaculately pressed and starched and wrapped in polythene. Friends think that I'm mad to spend so much money on something as simple and easy as ironing. I disagree: I have never found ironing remotely simple. It is stressful, tedious, demanding, difficult: in fact, I can't think of anything on which I'd rather spend £30 — on which, that is, not on whom.

From time to time, my wife offers to do my ironing; she says she finds it relaxing. Can this be true? Perhaps there is, after all, something in the claim that a biological determinism underpins men's aversion to housework. I don't believe this, and I don't have

an aversion to housework, just to ironing. I quite like cooking, although I seldom do any, as my wife never ceases to remind me (following recipes takes so much patience). Vacuum-cleaning is not really any trouble, and I appreciate the order that follows a big spring-clean. It's not that I've never tried to iron: I have. (My father used to spend hours showing me how you should always iron away from the points of a collar to avoid creases. No, it's more that I simply cannot master the craft; and it is a craft — a well-ironed shirt is a thing of beauty. If you disagree, just look around you, especially if you are in an office or reading this on a bus or train. The men who do their own ironing will be immediately apparent, their domestic inadequacy stamped on them like a branding mark. The points of their collars will be creased, their cuffs a mess and the sleeves crumpled. As for me, I shall continue to await deliveries from that little red van.

JASON COWLEY

# Football hooligans take bookstores by storm

In the wake of an abysmal display by English football supporters in France, it is worth noting that, back home, hooliganism is becoming a glamorous activity. On the shelves of your local bookshop the message is clear: "Don't be too hard on us, thugs have feelings, too". The most successful fiction author in football hooligan category is John King, creator of a trilogy that began with *The Football Factory*, which has sold 160,000 copies, and ended last month with *England Away*, conveniently coinciding with this year's World Cup fever.

King describes an underclass obsessed with drink, drugs, fighting and football. His world is bleak, his language rarely diluted by words of more than one syllable. His characters are supporters of the London clubs Millwall,

Chelsea and West Ham. Armed with knives, their bellies full of lager, they slash their way through football stadiums and city streets screaming their love of England and their hatred of the police and foreigners. There is violence on every page but, as King's hero in *The Football Factory* characteristically explains: "Men are always going to kick the f--- out of each other and then go off and shaft some bird. That's life."

Mark Steels, head of press and publicity at the football unit of the National Criminal Intelligence Service, set up in 1992, raves about King's books, finding them "absolutely riveting". He does not think they incite violence any more than Irvine Welsh's *Trainspotting* could seriously be accused of inspiring teenagers to buy a family pack of syringes. Asked if he is as

enthusiastic about the many football hooligans' own stories now being published, he says: "There is a difference between authors of literature and those who are writing in order to exploit their criminal past."

Among "New Titles" and "Recommended Reading" at Books Etc in Whiteleys shopping centre in West London is a new table devoted entirely to fiction and non-fiction about football hooligans. And Dan Jackson at Sportspages, Britain's biggest sports bookshop, says such books are inevitably bestsellers, despite being virtually a mass product.

Governors by Mickey Francis, about his days as a Manchester City hooligan, is currently the top seller in his shop. Personally, however, Jackson does not rate the genre's literary merit. He believes that "men of a certain



Genuine supporters of the game still prefer reading books that deal with football

age" buy them so that they can look back fondly to their glory days. True football fans still go for something a bit more, well, about football. "To call them football hooligans is

a misnomer," he says, "they're just hooligans." Dougie and Eddie Brimson have, in two years, written four books detailing their tuggish exploits as Watford

supporters and educating their readers in the art of hate. Fans of their neighbouring club up the road, which is generally referred to as S--- Town, are systematically at-

tacked and humiliated, but don't worry — it's all for a perfectly good reason: "The sad individuals who support [S--- Town] view with disgust, because if watching The Scum play is the highlight of their week, then they must be devastatingly pathetic people indeed."

High art this is not, but the lads have shifted more than 100,000 books so far, with *England, My England* selling spectacularly at the moment. "Following football is a tribal thing," says Ian Marshall, their publisher, "and hooliganism is about the defence of the tribe. The Brimson message is that football hooliganism hasn't simply gone away since Hillsborough. Firms are meeting several miles outside football grounds and fighting it out there."

Marshall was also responsible for *Steaming In*, by

Colin Ward, which started the trend for hooligan books in 1989. The chilling difference is that Ward regrets his actions in the end, whereas the Brimsons, along with their many peers, hope to justify theirs. "It's gang warfare," says Steels, "but you can't just let them get on with it. Innocent people are always going to get hurt. In addition to the rampages of English supporters in France, in March this year a young fan was killed in a fight between Fulham and Gillingham supporters. Who knows what tragedies await us in the coming weeks?"

"In the end, if we are not careful, the more we read of their subjective material, the more we will accept and condone football violence as being a part of human nature."

CHARLOTTE FANE

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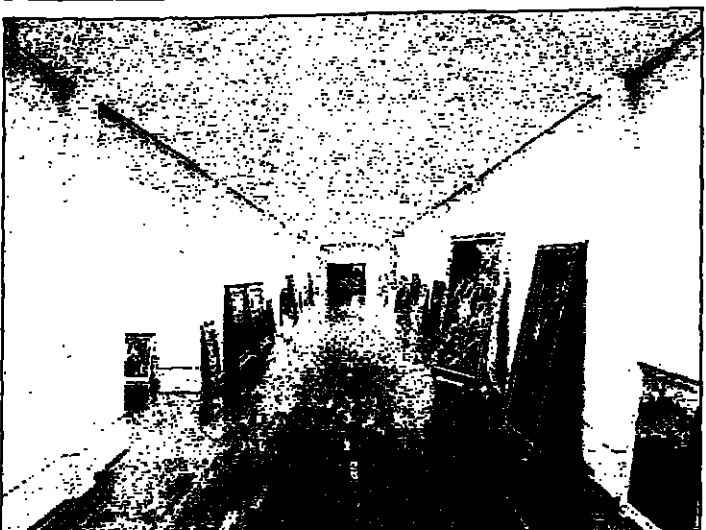
# THE TIMES ARTS

CIRCUS  
Chic, sexy and definitely NO sawdust!  
FACING PAGE



## Masters home from the war

**VISUAL ART:** Richard Cork visits Berlin's new Gemäldegalerie and its collection of Old Masters, reunited after 50 years



Lesser pictures line the walls of the basement Study Galleries

Brutally Sundered by the Second World War, Berlin's great Old Master collection has at last been reunited in a new museum custom-built for the paintings. Not all of them survived Hitler's defeat. When the city surrendered in May, 1945, 434 pictures were still protected by a bunker within Berlin's boundaries. But fire mysteriously destroyed them soon after Stalin's army took over the shelter, and the lost canvases included masterpieces by Caravaggio, Signorelli, Rubens and Van Dyck.

Much of the collection, though, was housed in remote Thuringian salt mines. American soldiers ensured their safety, and they eventually found a public home in the West Berlin suburb of Dahlem. But the building proved far from ideal, being cramped, poorly lit and uncomfortably removed from the city centre. Worse still, the paintings displayed there were completely divorced from the rest of the collection. Nearly 1,000 other pictures had survived the war in East Berlin air-raid shelters, and they were duly housed in the Soviet-controlled Bode Museum.

Only now, in the wake of German reunification, has the collection been brought together under one roof as the reborn Gemäldegalerie. Its new building stands on a central site in the Tiergarten, near the state library, Mies van der Rohe's modern art gallery and the Berlin Philharmonic's flamboyant concert hall.

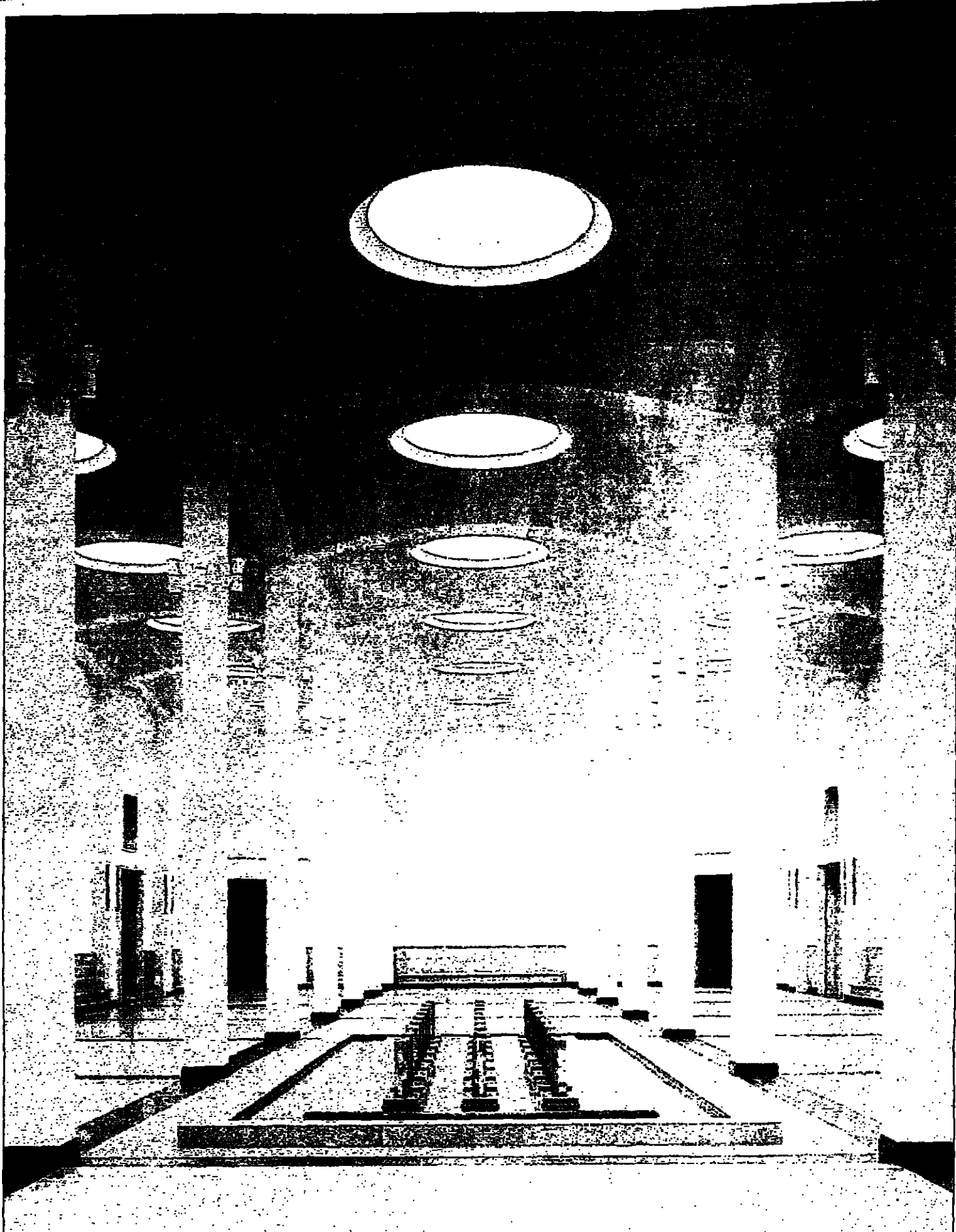
Designed by Heinz Hilmer and Christoph Sattler, the outside of the new gallery is reticent to a fault. The grey rusticated base looks like a timid homage to Florentine Renaissance palaces, and the terracotta panels above are disappointingly anonymous. Maybe Hilmer and Sattler were overawed by the magnitude of their task. After all, the building they were commissioned to design is a receptacle for some of the finest achievements in European painting. But, if the challenge of finding an outward manifestation for this temple to Western art deflected them, the

interior is a different matter. Here, the architect's residence becomes a virtue rather than a failing. The rooms surveying the sweep of painting, from early Renaissance to late 18th century, are admirable in their simplicity. Refusing to call attention to themselves, they serve the needs of the pictures instead.

Daylight from above, filtered in order to protect the pictures and ensure uniform luminosity, enables us to see them far more clearly than in Dahlem. The velvet-clad walls absorb any undue brightness, enabling the radiance of the pictures themselves to register with maximum impact. True, the brilliance of newly cleaned exhibits sometimes seems jarring in the company of other, heavily varnished and discoloured paintings. I was also annoyed by the perverse decision to consign Sienese panels by Sassetta and Giovanni di Paolo to recessed spaces covered by distractingly reflective glass. Nor are there enough seats provided for visitors who want to pause and contemplate individual pictures. Furthermore, where wooden benches are provided, they are often in corners offering only sidelong glimpses of the paintings.

On the whole, though, the pleasure of viewing is aided at every turn. Captions are placed discreetly below each picture. The walls of the early Renaissance rooms are swathed in pale grey, providing a backdrop as refreshing as the Sainsbury Wing at the National Gallery. Their hue becomes warmer with the advent of Venetian art at its most sumptuous. Smaller paintings are thoughtfully housed in rooms of more modest proportions and inferior pictures have been consigned to basement Study Galleries. So the main galleries on the ground floor boast exhibits with a consistently impressive level of quality.

The collection's foundation was provided by a group of paintings once owned by Frederick the Great and his forebears. Gradually, a comprehensive survey was assembled, with the help of book-



The large, airy hall running through the new building contains only one work of art - ironically, a modern sculpture by Walter de Maria

buster purchases as spectacular as the Giustiniani collection of Baroque paintings. Its highlight was Caravaggio's *Cupid as Victor*, a shamelessly provocative celebration of love's ability to vanquish everything from musical and martial prowess to scientific discoveries. Caravaggio was never more brazenly homoerotic than in this outrageous image of lust on the rampage.

Within a few years, though, the Gemäldegalerie had acquired an even more distinguished and utterly different collection from the English merchant, Edward Solly. Powered by a passion for the Italian Renaissance, he acquired masterpieces by some of the most outstanding quattrocento artists. Filippo Lippi's *Adoration in the Forest* stands out, with the virgin kneeling in a dark, flower-strewn glade encircled by streams flowing through clefts in the rock. But Castagno's *Assumption* and Bellini's *Dead Christ with Mourning Angels* are equally impressive. Solly's collection also provided the Berlin gallery with perhaps its

most popular possession: Petrus Christus's exquisite *Portrait of a Young Woman*. Her blanched skin, dramatically offset by a tall, black hood, gives this unknown sitter absolute poise.

This jewel-like little panel now takes its place in a magisterial parade of northern Renaissance masters. At one end, Jan van Eyck's almost miniature painting of *The Madonna in the Church* is a miracle of spatial exploration, enhancing virgin and child alike in the light-saturated nave of a Gothic cathedral. At the other, Holbein's superb portrait of the Hansent merchant George Giese presides over a wall-full of Holbein's work. After a while, the richness of the Gemäldegalerie's holdings becomes overwhelming. Rubens is seen in all his procreant diversity, as much the master of sensuous figures like the eponymous *Saint Cecilia* as he is the pioneer of landscape painting at its most turbulent. Rembrandt is even more prodigious, developing from the prec-

sion of a youthful *Samson and Delilah* to the wildly handled vehemence of Moses hurling his stone tablets before a gaunt, near-abstract mountainside.

But if visual surfeit threatens, relief is provided by the large, airy hall running like a spine through the new building. Visible from many of the rooms, it offers a multi-columned arena for rest, meditation and eye-salve. Here, in this lofty white sanctum with its unexpected hints of Moorish architecture, exhausted viewers can recharge their energies by watching the sun drop through circular apertures in the ceiling and form pools of brightness on the floor. No paintings hang on the immense walls. The only work of art is a contemporary commission from Walter de Maria, whose gleaming steel rods rise out of a rectangular water-basin. This hall is the still and pristine centre of Berlin's latest gallery, an institution where the act of looking becomes a continual, unfeathered delight.

● Gemäldegalerie, Berlin-Tiergarten (0049 302660)

## Talk of the old devil

CHelsea's 606 club enjoyed a tremendous boost to its profile earlier in the year when it was co-opted as the location for the BBC2 series *Jazz 606*.

It was no surprise, then, to find the 165-capacity basement jammed with revellers for a set by Scottish tenor man Bobby Wellins, a regular Saturday-night attraction. What was surprising, and disconcerting, was the constant hubbub among the crowd.

Wellins, who made his name in the 1960s playing in Stan Tracey's Quartet, was unfazed by the racket, although clearly he did not feel able to attempt any of the slow, silky ballads from *The Saint Album*, his well-received collection of Billie Holiday songs.

Instead, opening with the relaxed swing of Benny Golson's *Five Spot After Dark*, he picked out phrases with a warm, nonchalant touch, and joined in the spirit

RACHEL CAMPBELL JOHNSTON

of the occasion by spending the time during Simon Thorpe's humorously executed bass solos chatting with drummer Dave Wickins.

While Wellins's improvisations flowed with an effortless grace, pianist Liam Noble's soloing added a contrastingly spiky harmonic element to the ensemble's sound as the set unfolded with an apparently impromptu selection of numbers, including Thelonious Monk's *In Walked Bud* and Cole Porter's *Love for Sale*.

If the approach was a little casual, it was still reassuring to find such a seasoned display of modern jazz at its most unpretentious and accessible in a club thriving long after the television cameras had gone.

DAVID SINCLAIR

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second persuasive coup a few years later. Then the trumpet piston was invented, and the "keyed trumpet" became instantly obsolete.

Haydn's concerto is central to every trumpeter's life; "definitely part of my heritage," declared the precocious New Orleans jazer, Wynon Marsalis, demonstrating the truth of his claim with a flawless instinct for its classicism in two recordings, both conducted by Raymond Leppard.

Close on his heels, the equally precocious Hakan Hardenberger, from Sweden, established an immediate following with his recording with Marriner and the Academy of St Martin's, steadily available now for 13 years (Philips); clear recognition of its distinction.

But wherever there is one brilliant trumpeter, there is always another, still younger. The latest arrival is Sergei

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THE TIMES TUESDAY JUNE 16 1998

CIRCUS: He

Bi

Even if you are not a fan of the circus, you will be fascinated by the story of the circus that has been in the world for over 100 years. The circus is a unique form of entertainment that has captivated the imagination of people from all over the world. It is a world of wonder, excitement, and magic. The circus is a place where the impossible becomes possible, and where the boundaries of reality are pushed to their limits. It is a place where the imagination runs wild, and where the spirit of adventure reigns supreme. The circus is a place where the world is a stage, and where the stars are the performers. It is a place where the magic of the circus is alive and well, and where the spirit of the circus is ever present.



CIRCUS: Hettie Judah marvels at Que-Cir-Que, the revolutionary French troupe opening in London

Big act under the little top

In the peculiarly bleak partial building site of Paris's Parc de la Villette, three fat queues surround a pure white marquee. Tonight the circus will start late; ten minutes is lost trying to squeeze the too-big audience into every available inch, be it in the aisles or balancing on the backs of benches. As the crush of models, intellectuals and French punks squeeze closer towards the tiny entrance flaps, they examine the congregation of squat, oddly suburban caravans which make up the year-round, mobile living quarters of Que-Cir-Que, France's latest circus sensation.

Event to start explaining or describing the Que-Cir-Que phenomenon is to launch oneself into a labyrinth of breathless linguistic contortions. If they did not exist, Jorge-Luis Borges would have had to invent them. In many ways, Que-Cir-Que is a classic circus. The troupe live on the road with their big top, since they are engaged in a permanent world tour. They perform on the wire and the flying trapeze; they do clever tricks and clowning, some of them are even married to each other, but what happens on stage is something entirely new. Quebec's Cirque du Soleil employs 1,500 people; Que-Cir-Que only six, three of whom perform. There are no animals, sawdust, safety nets, glitter, make-up, fake smiles, bright colours, ringmaster or rolls of the kettle drum. Just sheer skill.

Graduates of Jack Lang's Centre National des Arts du Cirque (CNAC), the company have taken their alma mater's philosophy to heart: modern circus must not only engage excellence but enter into a dialogue with other art forms so that it continues to progress. Their work amalgamates theatre, dance, live music, design and even elements of surf and skateboard culture. But unlike the wonderful flashy thrill of much modern circus, Que-Cir-Que offers a complete theatrical experience. Their philosophical name is no pose; the symbolism on stage is enough to keep the audience's heads spinning faster than a tricker's bicycle wheel.

What the Que-Cir-Que performers have done is train themselves to a point of physical precision and elasticity where they become like cartoon performers. They laugh in the face of the impossible, and so does the audience. One character will find another irritating, pick him up and fling him at the pole in the centre of the tent, to which he will stick as if attached by Velcro. Then, having gripped onto the pole by only his fingers for five minutes, he will spend most of the next scene clowning about, still supported only by his arms.

They are also achingly cool and young. The costumes could have fitted happily in



Wide experience. Jean-Paul Lefeuve, Emmanuelle Jacqueline and Hyacinth Reich amalgamate elements from an eclectic range of the arts

any of the recent Paris catwalk shows; Emmanuelle Jacqueline's backless patched leotard skirts nude to the top of her buttocks, bearded Hyacinth Reich sports a half skirt and leather bustier, while Jean-Paul Lefeuve gives the entire performance in white underpants resplendent with anatomical highlighting in black marker pen. Their soundtrack is a feverish mix of scratched up pop and jazz with undertones of industrial noise. Occasionally the trio add to the cacophony with voices, guitars and even the percussive effects of a squeaky inner tube.

Their "big top" is actually a very little top. Most of the time the audience could reach out and touch the performers. Should they want to. When Jacqueline performs a scene on the flying trapeze, she does so only a foot off the ground, and the fear is rather that she will graze her head on the stage than that she will fall off. Yet the spectacle is entirely magic, even with the fear and pomp removed. This is minimalist circus both physically and psychologically; the circus as spectacle exists only through the bodies of the performers.

Having stripped circus down, Que-Cir-Que adds something extra of its own: not exactly a narrative, but approaching it. The initial Jules et Jim triangle, with Reich and Lefeuve both vying for

the attentions of Jacqueline through a series of tricks and dances, becomes complicated as she engages in a flirtation with the central pole supporting the marquee. At the sadistic apogee, she comes on stage, cheeks straining with water, kisses the pole passionately and then spits the water, bit by bit, at the craving Reich, first at his face, then at his nipples, then at his groin. Erobicism spreads from the performers to the props they play with.

Lefeuve is the mournful clown of the troupe. Although he wears his share of the pratfalls, his almost non-existent costume, lugubrious face and silly props place him at the bottom of the dramatic hierarchy. However, separated from the other performers, he becomes balletic in his grace and transforms the most quotidian objects — a broom, a bicycle or a roll of carpet — into the most inspiring and romantic dance partners.

This capacity to elicit the sublime from the ridiculous is perhaps the key to Que-Cir-Que's physical eloquence; the performers have created a drama of opposites. Their silence is as fat with meaning as a pause between two lines of Beckett. They conjure the richest images from a blank stage, and in dedicating their little round stage to the most Gallic dramatic themes, they have made a theatre for the world.

Que-Cir-Que is at Highbury Fields, North London 0171-288 6001, from tomorrow until July 5

Fireworks shot up from stage and sea-front at the weekend as the retiring directorship of the Aldeburgh Festival gave itself a good send-off. On the single, torrential rain failed to dampen the gunpowder as the composer Stephen Montague stood atop a bulldozer to conduct a community event called *Bolder Beach Band* in which fragments of Britten's *Sea Interludes* competed with the roar of the North Sea, and lost. The good folk of Aldeburgh banged pebbles and pans; and an ice-cream van was orchestrated live. And inside, Saturday night was Carnival Night in the Snape Maltings.

This year's festival draws together some strands which have characterised the directorship of Oliver Knussen and Stuart Bedford in the past decade. First, on Saturday, Knussen was represented in the BBC Symphony Orchestra concert he conducted, by his modest but irresistible *Flourish with Fireworks*. Within the jumping crackers of percussion and the rockets of polyrhythms are embedded cunning musical variations on the initials of the London Symphony Orchestra and Michael Tilson Thomas for whom this sparkler of an opener was written.

Britten and Tippett, Britten and America: these, too, were represented in a programme in which Britten's

Hail and farewell ALDEBURGH FESTIVAL

Canadian *Carnival* was framed by performances of Copland's *El Salon Mexico* and Tippett's *The Rose Lake*. The latter, in particular, revealed more of its late, glowing exuberance than perhaps ever before. In Knussen's superbly controlled performance.

At the heart of the evening came two pieces by a young American composer whom Knussen has faithfully championed: this year's composer-in-residence, Peter Lieberman. It is, according to Knussen, the "rich content" of Lieberman's music which he so admires. And there it all was in the first movement of his First Piano Concerto, teeming with ideas and, in the hands of Peter Serkin, almost manic with compacted energy. And this was just the first movement: there wasn't time for more. Lieberman fuses the motor-energy of Stravinsky

with the rhapsodising of Brahms, to gloriously extravagant effect. This was Lieberman's first orchestral work: the sheer intoxication in its making is tempered in the refining qualities of *Fire*, a shorter piece which received its European premiere after the interval. Here the coppersy orchestral palette is used more selectively, transitions are swifter, rhythmic patterns distilled.

There was more Lieberman in Sunday's chamber concert. Peter Serkin played his *The Ocean that has no West and no East*, an elegy in memory of Toru Takemitsu.

This was preceded by a performance by Serkin, Helen Huls, violin, and Fred Sherry, cello, of Takemitsu's *Between Tides*; and followed by Knussen's own tribute to the Japanese composer honoured in many an Aldeburgh programme, *Prayer Bell Sketch*, another piano solo for Serkin also receiving its European premiere, is something of a soulmate for Lieberman's *Ocean*. Where Lieberman's piece seems to grow from a breaking wave of sound, Knussen's resonates outwards from a single chime, fragmented into its own overtones, pulsating through different rhythmic shapes, contained in quiet chords and, most eloquently, within silence itself.

HILARY FINCH

RECOMMENDED TODAY

A daily guide to arts and entertainment compiled by Marit Hargre

LONDON

THE BASSET TABLE: Subtitled *The Fat, the Fish and the Gambling Ladies*, London run for the Bristol Old Vic production of a racy comedy by Mrs Coghlin (1627-1723) Opens tonight, 7pm until July 11 (G)

NEW NAMES: An opportunity to sample the skills of a dazzling array of gifted young musicians from Russia selected by an international choral programme set up to nurture the best artists talents that country can offer. Five youngsters display their virtuosity on their respective instruments in a programme featuring music from Mendelssohn to Shostakovich (Barbican, 0171-438 8891) Tonight, 7.30pm (G)

OPERA IN THE PARK: The curtain goes up on the summer season with Opera House Park's new staging of the classic double bill of Mozart's *Cavalletta Rusticana* and Leoncavallo's *Pagliaccio*, aka *Cow and Pig*. Jonathan Gil conducts the Orf orchestra. Holland Park, Box Office: 0171-602 7866. Opens tonight, 7.30pm (G)

YES, MY FUEHRER! THE GALITZIAN: Jessica Riley narrates his powerful performance as the woman who can't stop loving Hitler. Charlotte Christie plays a survivor with a very different experience. Penny Black directs. English Stage Company presents *Yes, My Führer!* at the Barbican, NW1 0171-438 8891. Previews from tonight, 9.30pm. Opens June 22, 7.30pm until July 12 (G)

ELSEWHERE

MANCHESTER: The Hallé Orchestra celebrates the first night of its summer Proms concert with a concert of German and Austrian Romantic music. Owen Ansell conducts. Barbican, 0171-438 8891. Tonight and Sat, 2.15pm (G)

NEW WEST END SHOWS

Jeremy Kingston's choice of theatre shows in London. In House full, returns only. G Seats at all prices.

BRASS OFF: Deborah Page's Sheffield Crucible production of the best-selling, adapted by Paul Allen. Cast includes David Cawford and Corcoran Street regulars, Paul Armistead and Shaun Dooley. National Theatre (Dorset) 0171-452 3000 (G)

BILLY LIAR: Paul Nicholas plays the two-acting daydreamer in revival of the Keith Waterhouse/Willy Hill comedy from 1980. Alex Walker directs. King's Head, N1 0171-226 1916 (G)

DANGEROUS WOMAN: Fionnula Flanagan plays a recently widowed Duchess of Windsor looking back on her life. John Bannan directs. Paul Webb's play. New End, NW3 0171-794 0023 (G)

DISCO PUNKS: Ends Walsh's tabloid tabloid, baby-talking play, set in Pop (Cork), City, comes into the West End. Celine Murphy and Euan Welch will be the roles of Pop and Euan. Arts Theatre, WC2 0171-835 3334/1213 (G)

ELTON JOHN'S CLASSES: Brian Conley plays the football fan still enamoured by Watford's Cup Final defeat 14 years ago, in David Farr's comedy, directed by Tamy Johnson. Queens, 0171-484 5041 (G)

GAS STATION ANGEL: New play by Ed Thomas, which begins when an imaginative couple meet after the young man's house (set in the 80s Ambassadors) 0171-565 5000 (G)

MUCH ADO ABOUT NOTHING: Ross MacKenzie's production of Shakespeare's *Much ADO About Nothing*. Directed by Ross MacKenzie. Theatraverse, 0171-438 8891 (G)

THE CHRESTIA: Live Anouilh play, revealing the comic and disastrous tensions behind the placid facade of a provincial orchestra. Kristina London-Smith directs. Felix Cross composes. Southbank Playhouse, SE1 0171-835 3491 (G)

OUTSIDE ON THE STREET: New translation of Wolfgang Ibersen's bitter drama, written shortly before his death as a result of wounds received on the Eastern Front. Gate, W1 0171-229 0708 (G)

TROILUS AND CRESSIDA: Alan Strachan makes the Open Air debut directing a strongly cast production, with Robert Harvis and Rebecca Johnson as the bright love. Open Air, NW1 0171-486 5431 (G)

THE UNEXPECTED MAN: Eileen Atkins and Michael Gambon in the first of the RSC production of Yasmina Reza's elegant but for strangers (revisited) and last year's opposite each other on a train. Duchess 0171-404 5075 (G)

FILMS ON GENERAL RELEASE

Geoff Brown's choice of the best movies

THE APOSTLE (12): Engrossing portrait of a flawed Pentecostal preacher, memorably portrayed by Robert Downey Jr, who also writes and directs. With Marianne Richardson, Fionnula Flanagan.

THE BIG SWAP (18): Hilarious and thoughtful film that finds their friendships suffer when they swap partners. Interesting British film which fails to do its subject justice. Neil Johnson directs. Sarah Brooks, Kevin Howarth and others.

THE GIRL WITH BRAMS IN HER FEET (15): Bourne comedy of 1990s comedy set in Leicester in the early 1970s, with Joanna Ward as a new life and boyfriend, or does she? Francescina Francescari and Libero Rabal.

SLIDING DOORS (15): Sacked PR Gwyneth Paltrow finds a new life and boyfriend, or does she? Francescina Francescari and Libero Rabal.

THE TASTE OF CHERRY (PG): Man seeks help battling his own body. Lyrical, humane and engrossing film from Iran's leading director Abbas Kiarostami, it shared the top prize at the Cannes festival (1996).

THE WEDDING SINGER (12): Will Adam Young, Director, Craig Rosenberg over realises they're made for each other. Lightly humorous, controlled comedy, set in the mid-1980s

and conviction. With Vanessa L. Williams, Kevin A. Fox and Neil Long Director, George Yipman Jr.

A THOUSAND ACRES (15): King Lear transferred to Iowa, with Jessica Lange, Michelle Pfeiffer and Jeremy Irons. Directed by James Frawley.

THE GRASS HARP (PG): Young boy lives with two eccentric spinsters. Passing adaptation of Truman Capote's novel, with a pedigree cast. Charles Matthau directs his father, Walter, Peter Laune, Stacy Spack, and Edward Furlong.

HOTEL DE LOVE (15): Boisterous Australian comedy set in a tacky hotel for newbies. With Simon Bossell and Edward Furlong.

SOUL FOOD (15): Inhabitations of an African-American family. Cleverly conceived, but presided with warmth

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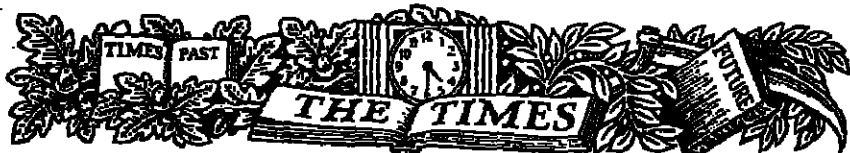
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## TWO FACES OF BLAIR

The dangers of telling people what they want to hear

Tony Blair's early training as an actor is beginning to shine through his politics. Is his audience Euro-sceptic? Then he will stress the dangers of Britain joining the single currency. Is it integrationist? Then he will laud the EMU project as a force for stability and growth. Yesterday, the multi-faceted Prime Minister was at it again, shrugging on a new character to suit a new role. This is a game that is as perilous in politics as it is successful on the stage.

In the morning, interviewed on the *Today* programme, the Prime Minister sounded suitably cautious about British membership of EMU. There was no lavish praise of the idea, merely a warning about the economic dangers of joining a system whose members are at a different stage of the business cycle. His audience of Radio 4 listeners will have been broadly reassured that their Prime Minister understood the hazards of a monetary union in which one interest rate would have to apply to all countries.

By lunchtime, however, Mr Blair faced his European counterparts. Now there was no talk of the problems of convergence. Instead, he launched into a eulogy of the single currency, which represented, he said, the best way to arm Europe against the impending economic threat of Asian collapse.

Europe and America, he explained, were the two pillars of stability in an unstable economic world. They had both followed "sound economic policies based upon price stability and sound finances". Europe should now aim to usher in a long period of expansion. "The decision to launch the single currency is the first step and marks the turning point for Europe, marks stability and growth and is crucial to high levels of growth and employment."

So many tendentious assumptions are contained here that it is hard to know where to begin to expose them. True, European countries have recently followed sound economic policies: but these can be achieved inside or outside a single currency. Britain

has the lowest debt to GDP ratio among the major EU countries but is not yet planning to join. If a Euro-sceptic administration were in power, it would continue policies based on sound money and fiscal prudence outside EMU.

Will the Euro zone at least bring stability? There is no reason to suppose so. In fact, if its economies do manage to converge, they are likely to experience more extreme booms and busts. For if all are experiencing recession at the same time, it will be harder for them to export their way back to growth. At the moment, the divergent business cycles of European countries help to lessen volatility. If the Euro zone does experience these dramatic swings, it will have more volatile interest rates too. The booms will need very high rates, and the busts, low ones. This means that the currency itself is likely to lurch wildly over time against the dollar and the yen.

But will it at least, as Mr Blair claims, deliver high levels of growth and employment? Not necessarily. The greater transparency afforded by a single exchange rate across the single market should help to boost trade, but equally it will lead to large job losses in companies that are shown to be uncompetitive. More importantly, growth is likely to be maximised only when central banks can set interest rates that precisely mirror the economic circumstances of their country. As Britain discovered in the early 1990s, interest rates that are only a couple of points too high can devastate growth prospects and swiftly lead to massive unemployment.

The Prime Minister is not only misleading in his economics; he is playing a dangerous game of politics. John Major also reached the top by telling his audiences what they wanted to hear. Soon, though, they started listening to what he was saying to their opponents. If Mr Blair is not careful, he will be soon be described not as multifaceted but as two-faced.

## WINGING IT

Nato will need to send stronger signals to Serbia

The Nato mission in the air around Kosovo yesterday was intended to send a powerful signal to Slobodan Milosevic. President of Yugoslavia and architect of the current repression in Kosovo, as he boarded his plane for Moscow to meet President Yeltsin, the leader of Serbia's only friend in the six-nation Contact Group. That message, which Boris Yeltsin has confirmed, is that the United States and its allies are united in their determination to use force should President Milosevic continue his crackdown on the Albanian Kosovars, and that they will not wait for very long before resorting to it. In theory, Mr Milosevic should hear the warnings, and resume negotiations with Albanian leaders. It is much more likely that the message will pass him by.

The Nato exercise "Determined Falcon" is a modest demonstration of resolve. It is merely the option on which all could agree: Nato was careful to go no closer than fifteen miles from Yugoslav airspace; no bombs have been dropped; no lives were risked. It is highly unlikely that a fly-past of aircraft visible only to his radar, loaded with ordnance which no-one has seen fit to fire even in practice, will alter Mr Milosevic's behaviour a jot.

Enough disagreement exists between Contact Group members to make Mr Milosevic think he has room to exploit when Nato has harder decisions to make. Russia abstains from the others' strong line, and the USA and Europe are divided on the need for Security Council resolutions before firing in anger. At the same time, no Western government is eager to send ground forces until there is a settlement to police; the assumption is that air power alone will force

Mr Milosevic to deal. But if he believes that the West is unwilling to risk anything substantive until there is no risk, why should he enter a process which will, he thinks, no longer leave him master in his own house?

At heart, Mr Milosevic believes that the West — despite its protestations to the contrary — is ready to countenance Kosovo's independence if all other options fail. The strength of Serb feeling about the province — no matter how irrational, how shaky the history on which it is built, and how unsupported it might be by Serbs actually choosing to live there — means that this is not something he can be seen to accept. Western reassurances on this point are being lost in the clamour for action, and undermined by pessimistic proclamations on the increasing unfeasibility of expecting Serb and Albanian to live side by side.

At the same time, Western policy at the moment manifests more the illusion of strength than its reality. There is still a widespread perception in the West that air power alone can deliver a satisfactory settlement. This is extremely unlikely. Only a clear readiness to make a substantial ground deployment before any peace agreement will demonstrate that Nato means what it says. Those Serbs who do believe the West is ready to fight believe it will fight to clear Serbia's integrity. It must be made clear that they are wrong. The only possible resolution for Kosovo is autonomy within Serbia; any intervention would be to preserve Serbia, not destroy it. A willingness to take risks, and the offer of political guarantees, should bring Mr Milosevic to heel: air shows alone and the readiness to accept the unacceptable, will not.

## SUNSHINE KICK-OFF

England is the team to beat: no joke

"So what was the score, then?" is the bubble for the Bateman cartoon of outrageous English behaviour this morning. England's victory in their opening match of the World Cup was one of those rare events that excite the attention of a whole nation. And their score of 2-0 could, perhaps, have been doubled.

England can be terrible losers. But the team looked formidable in victory, just as Scotland's was brave in defeat. England never looked like losing yesterday, and they were strong, disciplined and efficient — and other qualities lacked by some of their fans.

After the comic overture, the real drama of the summer opened for English football yesterday. The desecration of Gascoigne and the selection of a faith healer for the squad, the scandals over ticket allocation and even the fighting on the streets were wiped out by a calm, professional performance on the pitch. England teams are traditionally slow starters in these international competitions. They have won their opening matches in only three out of 14 tournaments. And conventional wisdom says that teams are not seen at their best until their third or fourth games of the World Cup.

So yesterday's play is a cause for quiet satisfaction. It was a more impressive opening than those of the other favourites. Tunisia is the side in England's group least highly ranked by the experts. But the lower ranked sides have already shown that they

can be difficult to beat, or in the case of Nigeria, that they should no longer be ranked as outsiders. The arrival on the world pitch of teams such as Japan and Jamaica, South Korea and Iran, adds to the attraction of the world's most popular game.

Tunisia showed some pretty passing but, apart from putting English hearts in mouths by missing from close range in the first few minutes, they were outgunned by the traditional virtues of the English game. After a slow start England always threatened with high crosses and corners. Tunisia's defence on the ground was more solid than predicted. But they were outgunned in the air, where their goalkeeper sometimes seemed to be playing in a different stadium from the ball. The goals at the end of each half embodied the strengths of the English game. They came as the game was drifting towards dullness.

One victory does not win the World Cup. England's next opponents, Colombia and Rumania, are more unpredictable and dangerous than Tunisia. Michael Owen, England's youngest goal scorer, has still his best chances to come. But Hoddle's men justified his faith in them through adversity and lack of success (and some poor performances) in the run-up. They showed direction and creativity as well as the discipline and solidity expected from an England side. Yesterday in the opening heat of the real contest, they did England proud.

## Shame of football hooligans' fame

From Mr David Comyns

Sir, It is undoubtedly right for the England team to continue in this World Cup rather than allow a small minority of mindless hooligans (reports, June 15) to spoil the hopes and dreams of the squad and the loyal, well-behaved supporters as well as the fans at home.

But has the time now come to admit that this country is unable to adequately control its football violence and should therefore withdraw its bid to host the 2006 World Cup until such time as all English fans learn how to behave in a mature and civilised way when they mix with foreigners?

Indeed, England supporters only have to look to the northern border to see some mature fans, whose behaviour in Paris before Scotland's thrilling encounter with Brazil was exemplary, or to the Caribbean for a glimpse of the true World Cup spirit that was epitomised by the Jamaican fans.

Yours faithfully,  
DAVID COMYN,  
4 Brook Way,  
Chigwell, Essex IG7 6AA.  
david.comyns@bigfoot.com  
June 15.

From Mr John Miller

Sir, The violence in Marseilles by English "fans" is symptomatic of a drift towards lawlessness in our nation which we have too long tried to pretend is marginal. The only honourable course, if there is more trouble, is for the FA to withdraw the English team from the World Cup, with apologies to all concerned.

Such a gesture would help restore our good name and shock the nation to its senses. Has the Government the guts to insist this is done?

Yours faithfully,  
JOHN MILLER,  
26 Newmarket Road,  
Norwich NR2 2LA.  
June 15.

From Mr Bryan Curtayne

Sir, I trust that the print media will publish as many pictures as possible of those involved in the violence in Marseilles.

Those who engage in such acts of violence pay no attention to the widespread condemnation of their actions but may think twice should they be publicly recognised, by families and employers, as the face of English thuggery.

Yours faithfully,  
BRYAN CURTAYNE,  
1 Frankfurt Road, SE24 9NX.  
June 15.

From Mr Ian Mitchell

Sir, Instead of wringing hands and seeking easy refuge in the term "so-called fans", the media should starve these people of the very publicity they seek. Every photograph and every report of those poor, innocent, happy souls "just enjoying a quiet drink and a sing-song" being attacked by "brutal" foreign police is, for them, like being awarded a medal or named in their own Honours List. The "hero" on your front page today will treasure that one!

We already have in place laws relating to drunken and disorderly behaviour, threatening behaviour, breach of the peace, riotous assembly and the like. The managements of places of public entertainment have powers to eject or refuse entry to anyone disrupting the enjoyment of others. Let these laws and powers be applied, strictly, consistently and in full measure, before the exhibitionists, who obviously believe their own behaviour to be the main event, take over completely.

What is growing here is a sub-culture, where enjoyment — "fun", "cool Britannia" — is regarded as impossible without the accompaniment of cans or bottles, raucous chanting, violence and the destruction of property.

Yours faithfully,  
IAN MITCHELL,  
76 South Mains Road,  
Milngavie, Glasgow G62 6DG.  
June 15.

From Mr John Davies

Sir, We all owe the Jamaica football team the Reggae Boyz, a vote of thanks for reminding us how positive thinking and correct motivation can raise the whole atmosphere of the World Cup, even in defeat. Would that the English fans could learn the lesson.

Sincerely,  
JOHN DAVIES,  
Harvest House, 127 Witton Street,  
Northwich, Cheshire CW9 5DY.  
June 15.

From Mr Gavin Littaur

Sir, That mindless minority in Marseilles has scored an own goal. The actions of these hooligans have ensured that England cannot now justify its bid to host the 2006 World Cup. What a relief.

Yours faithfully,  
GAVIN LITTAUR,  
54 The Drive, NW11 9TL.  
June 15.

From Ms Lynne Gray

Sir, Is the National Football Intelligence Unit an oxymoron?

Yours faithfully,  
LYNNE GRAY,  
The Old Vicarage, Scremerston,  
Berwick-upon-Tweed TD15 2RB.  
June 15.

## LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 0171-782 5000

## Evolution with and without God

From Mr David W. Bowerman

Sir, Ian McEwan's article about evolution, "The wonder is we're here at all" (June 8), seeks to promote the credible out of the incredible, leaving us all with serious doubts. That Darwin was one of our country's greatest scientists we must readily agree. Yet even he, in his later years, declared "my theology is a simple muddle".

It is significant that Darwin's *Origin of Species* described an order of events so similar to those described in the Bible. Darwin's theory remains but a theory, although all new scientific discovery puts flesh on to the bones of his profound thesis, as it does indeed the ancient texts of the Bible.

Science becomes increasingly able to answer the question "how", yet, as its knowledge becomes more profound, it is even less able to answer the question "why". Every new discovery enriches the wealth of knowledge of our world, yet intensifies the quest of those who choose to seek its ultimate origins.

To substitute the word "God" for everything that we don't understand is naive. Yet the fundamental question of the origin of both matter and energy remains agonisingly unanswered; and "big bang", whilst almost universally accepted, poses problems which science alone cannot answer.

Could it be that the first four words of the Bible, "In the beginning, God", are becoming increasingly relevant? This may give us some discomfort, yet draws us back to a reality and faith that we have, to our peril, abandoned.

Yours sincerely,  
D. W. BOWERMAN,  
Champs Hill,  
Coldwaltham, Nr Pulborough,  
West Sussex RH20 1LY.  
June 9.

From Dr Denis R. Alexander

Sir, Ian McEwan appears to be under the impression that Darwinian evolution is slanted towards a non-religious understanding of the natural order. But ever since Darwin there have been plenty of biologists, of whom I am one, who have been quite happy to baptise Darwinian evolution into the Christian doctrine of creation and view it as a compelling and elegant scientific description of the processes used by God to bring about biological diversity.

Ironically, in light of the present hostility of a large segment of the American population towards evolution, Darwinism was popularised in 19th-century America by Christian academics. For example, the Presbyterian Asa Gray, Professor of Natural History at Harvard, arranged for the publication of Darwin's *Origin of Species* in the US in 1860.

## Healthcare compared

From Professor John Phillips

Sir, As a long-time advocate of health reform in the US and a health-care administrator who has compared the NHS with the US healthcare industry over the last 25 years, it is clear to me that there is a lack of regard and support in the UK for the NHS.

Michael Portillo (report, June 11) "criticised the politicisation of the NHS... and proposed an extension of private insurance..." He seems to have no sense that it is this private, for-profit, scheme that has been the substance of American healthcare and the resulting disaster.

By the turn of the century this industry will account for 20 per cent of the gross national product of the US (to your 6 per cent), with no better overall health outcome. It leaves 40 million Americans with no financial access to healthcare. Healthcare should not be a for-profit business, nor a political football, if you care at all about fairness, equity and access.

Keep and strengthen the NHS.  
Sincerely,  
JOHN PHILLIPS  
(Professor of Health Sciences),  
As from: State University of  
New York at Brockport,  
Brockport, New York 14420.  
June 12.

## Fayed memorial fund

From Mr R. M. C. Venables

Sir, In your report of June 8, headed "Al Fayed faces probe by charity watchdogs over memorial fund", you quote a report from the *News of the World* that the Dodi Fayed International Charitable Foundation has not published accounts at the Charity Commission or Companies House "which should have been lodged after more than £1,000 had been collected". As regards the Charity Commission, at least, there is no such obligation.

One of the criteria for the legal obligation to register a charity is that it has an income of more than £1,000 per annum. The obligation to lodge accounts depends on the level of its gross income. The obligation is to do so within ten months of the end of the accounting period. It is scarcely surprising if no such accounts have been produced within the first year of the fund's existence.

Yours faithfully,  
ROBERT VENABLES  
(Charity Commissioner, 1989-97),  
Birkham & Co (solicitors),  
1 Dean Farrar Street, SW1H 0DY.  
June 9.

Letters for publication may be faxed to 0171-782 5046.  
e-mail to: letters@the-times.co.uk

## Truth as victim in use of film archive

From the Chairman of The Grierson Memorial Trust

Sir, The allegations which you have reported recently (*Media Diary*, May 22; *City Diary*, May 27) of fabrication in a Carlton documentary concern everyone in television. The essence of documentary, indeed all moving picture production, does involve some degree of what John Grierson called the "creative treatment of actuality" — but not to distort the truth, only to enhance the film and the point it is making.

That may at times require film-makers to apply some degree of control, even manipulation, in their quest to make a visual record that represents situations in an interesting, maybe persuasive way — but not at the expense of honesty.

No less pertinent, however, is the need for the use of "reconstructions" to be minimised and for archive footage, when used out of its original context, not to have its validity changed. More and more reconstructions are only fleetingly labelled as such: we believe that all such footage should carry a small "R" in the corner of the screen.

Recently, the BBC asked the Imperial War Museum to authenticate footage of a 1944-45 aerial dog fight — but so cleverly had it been filmed that they were unable to confirm whether or not it was genuine. Reconstructions can creep into libraries without clear identification and in years to come may cause mayhem for archivists and producers.

When these practices get out of hand — for sensationalism, voyeurism or, above all, ratings — the truth becomes a nuisance.

Yours faithfully,  
JOHN CHITTOCK,  
Chairman,  
The Grierson Memorial Trust,  
37 Gower Street, WC1E 6HH.  
June 11.

## Country art in town

From Colonel Charles Lane

Sir, I was delighted to see ("Tate raids stately homes to put treasures on show", report, June 12) that the Tate Gallery intends to hold an exhibition of *The Art of the Country House* in November. However, mention by the Tate's Robert Upstone of the wealth of sporting paintings at Cottesbrooke Hall, which would presumably be the subject of a "raid", brought a wry smile.

The Tate's own excellent holding of sporting paintings is now quite substantial in quality and quantity, owing to the generosity of Mr Paul Mellon (who celebrated his ninety-first birthday yesterday) and the late Mrs Ambrose Clark, two American Anglophiles. Through the charity, the British Sporting Art Trust (celebrating its twenty-first anniversary this year), they gave just under 50 outstanding sporting works to the Tate in the 1970s.

Although the purpose of the forthcoming exhibition is to exhibit out-of-town art, perhaps Mr Upstone should consider examining the Tate's cellars to discover the equally rarely seen sporting art which lies there year in, year out.

Yours faithfully,  
CHARLES LANE  
(Chairman, Executive Committee,  
British Sporting Art Trust),  
99 High Street,  
Newmarket, Suffolk CB8 8JL.  
June 12.

## Parking problems

From Miss Sheila Mitchell

Sir, The correspondence about the legality of passing on the unexpired portion of a parking token (letters, June 1, 2, 9) raises broader issues.

Why were parking restrictions introduced? Very sensibly to keep the roads as clear as possible for reasonable traffic flow. Who originally policed the restrictions? Seemingly human men and women prepared to explain their actions and give a tentative latitude to someone outstaying the allotted time.

What is the situation now? We have private companies which have to show a healthy profit, and employ silent "robots" with an unearthly ability to be on the spot, issuing a penalty ticket, in the first second of overtime.

What started as a necessary evil for the common good has largely become an evil for its own ends. It is not only daft it is immoral to be generating such hatred by turning sensible traffic regulations into a money-grabbing operation.

Yours,  
SHEILA MITCHELL,  
35 Northumberland Place, W2 5AS.  
June 9.

## The final journey

From Mr Joseph Crosthwaite

Sir, Having already had my ride in a Rolls-Royce, on my wedding day, my ultimate removal to the crematorium by Volkswagen (letter, June 12) does not bother me.

Yours faithfully,  
JOSEPH CROSTHWAITE,  
33 Melbourne Crescent,  
Whitby Bay,  
Tyne and Wear NE25 8TG.  
June 12.

Sincerely yours,  
DENIS R. ALEXANDER  
(Head of the T Cell Laboratory),  
The Babraham Institute,  
Babraham Hall,  
Babraham, Cambridge CB2 4AT.  
denis.alexander@bbsrc.ac.uk  
June 8.

From Professor Paul Back

Sir, Ian McEwan's article typifies the general public's naive belief that evolution is "demonstrably true".

This is simply not so. Recently I put the following question on the Internet to a specialist scientific body claiming access to a database of 1,000 people: "Can you mention just one scientific fact that demonstrates conclusively that the origin of man on this planet arose through the process of evolution?" The response I received was: "No... it would be difficult to find any single [fact] that would prove beyond reasonable doubt that man originated via an evolutionary rather than some other pathway."

The improbabilities surrounding almost every facet of evolutionary theory are so enormous as to discount its credibility completely. No other branch of the natural sciences would give house-room to a theory with such vanishingly small prospects of success. But as someone has said — "It is unbelievable what unbelievable things an unbeliever will believe in order to be an unbeliever." An evolutionist will believe at least six impossible things before breakfast.

Yours faithfully,  
P. BACK  
(Visiting Professor of Design,  
Oxford University),  
Parsonage Farm,  
Maidenhead, Berkshire SL6 3JP.  
paul2back@aol.com  
June 8.

## Rubbish 'tax'

From Mr Adam Roscoe

Sir, Your report on a "tax" on rubbish (June 10; see also letters, June 11) included a fact box outlining materials suitable for recycling. Britain's recycling record for each category and disposal problems — i.e. not enough well-sited can banks to collect tin cans. More and better-sited can banks will never be the complete answer — the solution is more strategic.

While the public has a positive attitude to recycling, there is a gulf between those who think "green thoughts" and those who take action by sorting tins and taking them to the recycling bank. But the toughening of legislation governing emissions from local authority incinerators has, since last year, resulted in most of the older, less efficient burners being closed and many have not been replaced. The "magnetic extraction" on the front of these plants, which automatically extracts tin cans for recycling, have therefore become redundant by default.

The answer has to be more investment by local authorities — perhaps in partnership with producers and retailers — to reinstate magnetic extraction as a matter of urgency.

Yours faithfully,  
ADAM ROSCOE,  
9 Wingate Road, Heaton Chapel,  
Stockport SK4 2RL.  
adam.roscoe@binternet.com  
June 11.

From Mr Andrew Bradford

Sir, Following the advent of the landfill tax we have seen an increase in fly-tipped rubbish in the countryside. The proposal to tax household rubbish will inevitably compound the problem, especially in areas like this where recycling opportunities are few and far between.

A better approach would be to reward citizens for the material recycled and to penalise those who produce the rubbish in the first place.

A great proportion of packaging is unnecessary: it is time society discouraged its production, not merely its subsequent disposal.

Yours faithfully,  
ANDREW BRADFORD,  
Kincardine Estate,  
Kincardine O'Neil,  
Aboyne, Aberdeenshire AB34 5AE.  
June 11.

From Mr John Dorman

Sir, Am I guilty, by virtue of this meagre contribution, of simply exacerbating the problem?

Yours faithfully,  
JOHN DORMAN,  
40 Huntingfield Road,  
Pursey, SW15 5EU.  
June 11.



COURT CIRCULAR

WINDSOR CASTLE. The Queen and the Duke of Edinburgh gave a luncheon party for the Knights Companion of the Most Noble Order of the Garter at which Queen Elizabeth the Queen Mother, the Prince of Wales, the Princess Royal, accompanied by Captain Timothy Laurence RN, The Duke and Duchess of Gloucester, and The Duke of Kent were present.

Today's royal engagements

The Duke of Kent, president, Engineering Council, will attend a briefing followed by a tour of the building, at 10 Maltravers Street, London WC2, at 9.30.

Mr David Hicks

A memorial service for Mr David Hicks will be held in the Grosvenor Chapel, South Audley Street, London W1, on Wednesday, July 1, at noon.

Service luncheon

Royal Ulster Rifles Officers' Club Major-General C.W.B. Purdon presided at the annual luncheon of the Royal Ulster Rifles Officers' Club held yesterday at the Army and Navy Club.

Birthdays today

Lord Aberdare, 79; Mr Anthony Abrahams, former chairman, Harpur Trust, 75; Lord Astor of Hever, 52; Miss Eileen Atkins, actress, 64; Lord Patrick Beresford, bloodstock agent, 64; Mr James Botam, actor, 60; Lieutenant-General Sir Thomas Boyd-Carpenter, 60; Mr Grant Fox, rugby player, 36; the Very Rev Dr K.C. Franz, Provost, St Ninian's Cathedral, Perth, 45; Mr T.W. Gravney, former cricketer, 71; Mr John Hatfield, author and publisher, 94; Professor H.J. Harman, former Vice-Chancellor, Lancaster University, 70; the Right Rev David Konstant, Bishop of Leeds, 68; Mr Rodney Lund, former chairman, Short Brothers, 62; Mr Neil MacGregor, director, National Gallery, 52; Professor Robert Matthews, FB, former Master, Clare College, Cambridge, 71; Sir John Peel, former MP, 86; Lord Perry of Walton, FRS, 77; Lord Richardson, 88; Sir Ralph Robins, chairman, Rolls-Royce, 66; Mr Robert St John Wright, chairman, London Philharmonic, 48; Professor Erich Segal, classicist and writer, 61; Sir Nigel Wicks, civil servant, 58; Mr Simon Williams, actor, 52; Sir David Wright, diplomat, 54.

Meeting

Royal Over-Seas League Dr Alan Sked was the guest speaker at a meeting of the Discussion Circle of the Royal Over-Seas League held last night at Over-Seas House, St James's. Miss Hazel Ellis presided.

Treasures of the NHS unearthed by survey

By Marcus Binney

MORE than 2,000 hospitals are included in a new all-England survey of the heritage of the National Health Service. Cottage hospitals, workhouses, naval and military establishments, sanatoria and isolation hospitals as well as lunatic asylums and convalescent homes are among more than 300 remarkable buildings stretching over 300 years which are illustrated.

"Many hospitals are fantastic archives with original architects' drawings which are still used for day-to-day work on the buildings," says Anne Riches of the Royal Commission on Historical Monuments.

Following the dissolution of the monasteries, Henry VIII and Edward VI established five royal hospitals in London: Barts, Christ's, St Thomas', Bridewell (now demolished) and Bedlam (now the Imperial War Museum).

Virtually all other hospitals, apart from workhouses established under the Poor Law, relied on charitable giving and philanthropists such as Thomas Guy who had made a fortune trading in South Sea stock and used it to found a new hospital for incurables and lunatics who were turned away from St Thomas'.

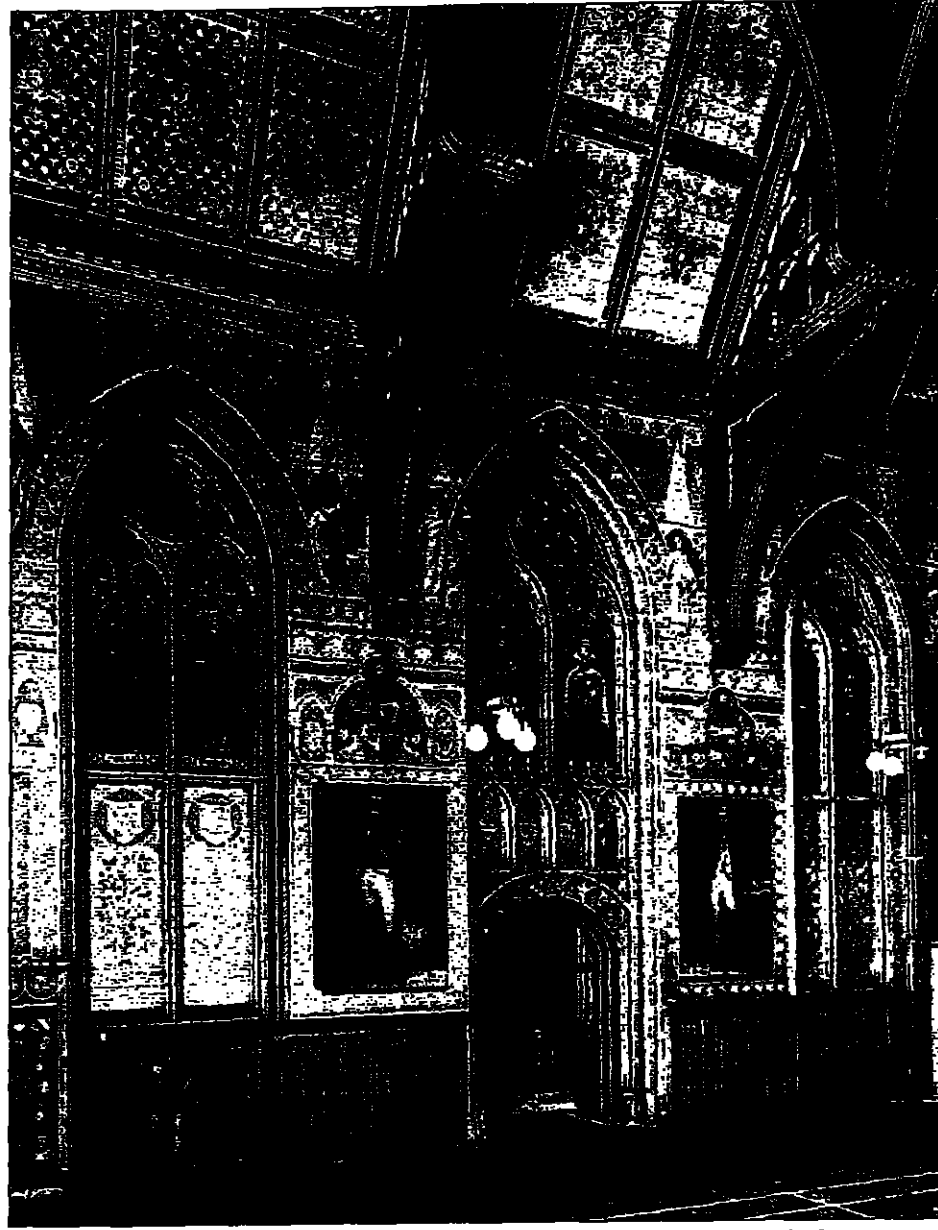
Harriet Richardson, one of the authors of the new study, says: "Hospitals were symbols of civic pride, with smart façades in the fashionable style of the time set in prominent positions in towns. By contrast, the workhouses, which were paid for out of parish rates, were very plain and showed more concern for the welfare of the ratepayers than the internees."

Following the new poor law of 1834, 650 workhouses were in operation. "The Victorians were very keen on segregation, men from women, the able-bodied from the indigent, women classed as good, bad or even incorrigible," says Kathryn Morrison, another of the authors.

To achieve this segregation workhouses were built on complex star plans with separate courtyards for different classes of inmate.

In one scandalous place at Andover it was found that paupers were being fed bones and made to grind them for the marrow. After exposure in The Times, the local poor law commissioners were forced to resign.

The National Trust is now seeking funds to open the most complete surviving workhouse at Thurgaston in



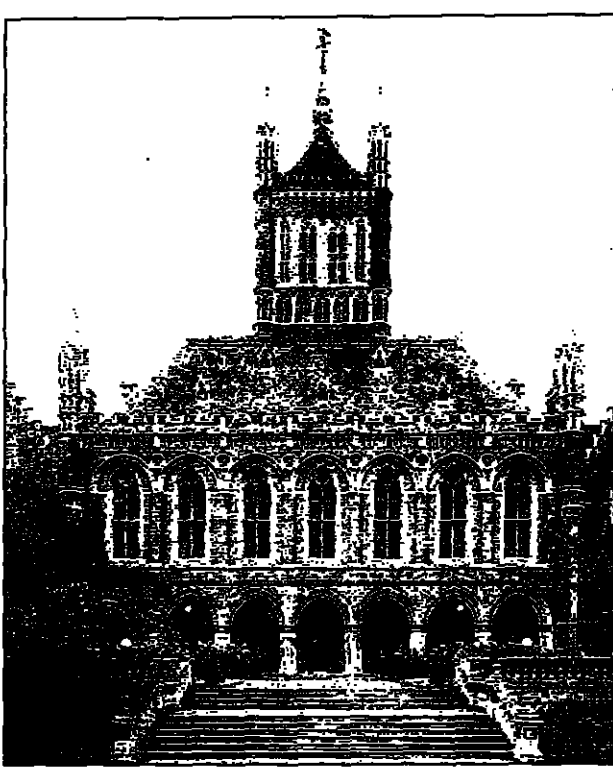
The lavish recreation hall of the Royal Holloway Sanatorium, built between 1879 and 1884, empty for years and now to be converted into private residences

Nottinghamshire to the public. The authors say that up to 100 workhouses survive in some form and are easy to adapt as flats because they do not have the high ceilings of many Victorian hospital wards.

Many hospitals have unusual features. In the chapel at the Royal Seabright Hospital, Margate, the front of the nave was left free of seating so that patients could be wheeled in lying in their beds. The Royal Eye Hospital at St George's Circus in London had a one-way system for outpatients so that blind and partially sighted people did not bump into each other on their way in and out.

Anne Riches says: "We hope that health service managers will take note of the value of these buildings and use this as a marketing tool when they are offered for sale."

Brompton Hospital in London was sold for a record £21 million during the recession, a price which some MPs now claim was too low. Among numerous hospitals which the Royal Commission says are now empty are the unusual Children's



The grand main entrance of the sanatorium

Cottage Hospital at Chipping Ongar, Essex, and the 1930s Westminster Hospital near the Houses of Parliament and the adjacent nurses home and medical school. English hospitals 1660-1948 is available from the National Monuments Record Centre: 01793 414618.

Forthcoming marriages

Mr J.M.J. Booker and Miss H.V. Beeby The engagement is announced between Jeremy, son of the Rev Gerald Booker and the late Mrs Booker, of Hertford, and Helen, elder daughter of Mr and Mrs David Beeby, of Claymore School, Iwerne Minster, Dorset.

The Hon J.E. Greecall and Miss L.A. Collins The engagement is announced between Johnny, son of the late Lord Daresbury and of the Hon Mrs Margaret Greenall, of Leicestershire, and Laura, daughter of Major Peter and Lady Clarissa Collin, of Rockley, York.

Mr K. Mahood and Miss C. Love The engagement is announced between Khaled, son of Colonel and Mrs Mohammed Abdul El Aal, of Cairo, and Caroline, daughter of Dr and Mrs M.B. Love, of the Old Manor House, Milton, Salisbury, Wiltshire.

Mr J.W. Pinnas and Miss H.E.W. Richards The engagement is announced between John, younger son of Mr and Mrs Peter Pinnas, of Pewsey, Wiltshire, and Hope, younger daughter of Rear Admiral Ian Richards, RAN, of Barra Creek, and of Mrs Hilary Richards, of Canberra, Australia.

Mr A.D. Silcock and Dr R.C. Harris The engagement is announced between Andrew, youngest son of Mr and Mrs J.P. Silcock, of Reigate, Surrey, and Rebecca, K.M. Kendrew, of Beverley, East Yorkshire, and Miss Denise Sharrett, elder daughter of Mr and Mrs D.E. Sharrett, of Gasston, Hertfordshire.

Church in Wales The Right Rev Dewi M. Bridges, Bishop of Swansea and Brecon, is to retire on November 30.

Marriages

Mr C.A.D. Boyle and Miss L. Stewart Forthcoming marriage The marriage took place on Saturday, May 30, at the Chapel of St Anthony the Hermit, Murchly Castle, of Mr Christopher Alexander David Boyle, elder son of Mr and Mrs P.A.D. Boyle, to Miss Fiona Stewart Forthcoming, younger daughter of Robert Stewart Forthcoming and the late Mrs Stewart Forthcoming. Father Ronald Creighton-Job and the Rev John Repath officiated. The Very Rev Dr James Weatherhead, CBE, gave an address.

The bride, who was given in marriage by her father, was attended by Edward, Dorothea, Sybil and Carolina Pease, Lieutenant Richard Boyle, The Royal Scots Dragon Guards (Carabiniers and Greys), brother of the bridegroom; was best man.

A reception was held at Murchly Castle and the honeymoon was spent in Scotland and Italy.

Mr D.H. Johnston and Miss L.M. Greer The marriage took place on Saturday, June 13, 1998, at Criff Parish Church, Perthshire, between Mr Duncan Johnston, younger son of Brigadier and Mrs Jack Johnston, of Haslar, Hampshire, and Miss Lindsey Greer, younger daughter of Rear Admiral Ian Richards, RAN, of Barra Creek, and of Mrs Hilary Richards, of Canberra, Australia.

Mr M.S. Kendrew and Miss D.C. Sharrett The marriage took place on June 13, at St Mary's Church, Beverley, East Yorkshire, between Mr Mark Kendrew, elder son of Mr and Mrs K.M. Kendrew, of Beverley, East Yorkshire, and Miss Denise Sharrett, elder daughter of Mr and Mrs D.E. Sharrett, of Gasston, Hertfordshire.

Mr Michael Kim was best man and Mrs Rosalind Eldridge was maid of honour. The honeymoon is being spent abroad.

Anniversaries

BIRTHS: Sir John Cheke, writer and scholar, Cambridge, 154; Gustav V, King of Sweden 1907-50, Drottningholm, 1858; Stan Laury, comedian, Ulverston, Lancashire, 1930; Lupino Lane, music hall performer, London, 1892.

DEATHS: John Churchill, 1st Duke of Marlborough, general, Windsor, 1722; Charles Sturt, explorer in Australia, Cheltenham, 1859; Margaret Bonfield, trade union organizer and Minister of Labour, 1929-31; Sanderstead, Surrey, 1953; Imre Nagy, Premier of Hungary 1953-55 and 1956, executed Budapest, 1958; Harold Alexander, 1st Earl Alexander of Tunis, Field Marshal, Governor-General of Canada, 1946-52; Slough, 1969; John Reith, 1st Baron Reith, 1st Director-General of the BBC 1927-38, Edinburgh, 1971; Werner von Braun, pioneer of rocketry, Alexandria, Virginia, 1977.

The first congress of the Soviets was held, 1917.

Rudolf Nureyev defected to the West, 1961.

Valentina Tereshkova of the Soviet Union became the first woman in space, 1963.

Middle Temple

The following have been elected Masters of the Bench of the Middle Temple: Mr H.W.P. Eccles, QC, Mr S.D. Bates, QC, Miss C.M. Miskin, Mr J.L. Powell, QC.

Dinners

King's College London The President of King's College London Association, David Rossett, QC, and the President of King's College London Students' Union, Matt Davies, entertained former Presidents of the Union at a Dinner held in the College on Friday.

The Principal, Professor Arthur Lucas, the Patron of KCLA and former Principal, Sir Richard Way, the Chairman of KCLA, Mrs J Crocker, and 'Reggie' were also present. The former Presidents of the Union, from 1943 to the present, who attended were: Keith Morphet, the Rev John Green, Sir Hilary, Richard White, David Mitchell, Richard Wadsworth, Gordon Burrow, Lee Moore, Andrew Parrish, the Rev David Vanstone, and former Principal, Sir Richard Way, the Chairman of KCLA, Mrs J Crocker, and 'Reggie' were also present. The former Presidents of the Union, from 1943 to the present, who attended were: Keith Morphet, the Rev John Green, Sir Hilary, Richard White, David Mitchell, Richard Wadsworth, Gordon Burrow, Lee Moore, Andrew Parrish, the Rev David Vanstone, and former Principal, Sir Richard Way, the Chairman of KCLA, Mrs J Crocker, and 'Reggie' were also present.

Farmer's Company The Hon Sir Richard Butler, Master of the Farmer's Company, presided at a ladies' court dinner held last night at Farmers Fletchers' Hall. The Masters of the Fletchers' and Accuraries' Companies and their ladies were among the guests.

Lincoln's Inn

Mr Simon Berry, QC, has been elected an Ordinary Bench of Lincoln's Inn.

BMDs: 0171 680 6880 PRIVATE: 0171 481 4000

PERSONAL COLUMN

TRADE: 0171 481 1982 FAX: 0171 481 9313

BIRTHS AMSTRONG - On June 10th at The Portland Hospital to Hayley (née Zyl) and Dennis, a son, Zyl, a brother for Toni and Klara. BEAUMONT-HILL - On June 9th to Yvonne and David, a son, Henry de Vere. BUDE - On June 11th at the Portland Hospital to Lucy and Ciella, a daughter, Mira Miral, Marel Tov to all grandparents. CARL-MCCORMICK - On June 13th in Geneva to Lina and Patrick, a daughter, Zaida Antonia Corina. CHAYTON - On 11th June, to Emma Marie-Jane and Martin, a daughter, Susanna Louise. EDWARDS - On Sunday 31st May 1998, to Jane (née Bennett) and David, a daughter, Isabel Suzanne, a sister for Christopher and Bauri. ELLIOTT - On May 13th, to Louise and Oliver, a daughter, Clover Christina Hope. GOFREY - To Laura Jane and Philippe on Tuesday June 2nd 1998 at son, Orlando Benjamin Alberic. HANFORD - On 11th June 1998 in Faversham to a daughter, Isabella Clementine Courtney. HOBAN - On 8th June 1998 at the Matilda Hospital, Hong Kong, to Rowena McConnochie and Simon Hogan, a son, Leo Charles. HUGHES - On 17th April 1998 a handsome son Alexander Graham Robinson born to Sarah and Carl Hughes, a brother to Nia Ekatarina Robinson and a grandson to Lilli, Joan and Graham. LAFRANCE - On Saturday June 13th to Victoria (née Egan) and Oliver, a daughter, Sophie Charlotte Anna, a sister for Thomas and Charles. MARRAS - On June 13th at the Portland Hospital, to Carol Ann (née Miller) and John Courtney, a son, Alexander Lewis, a brother for Alan.

DEATHS BARRAGAN - William, died peacefully on June 12th 1998 at Oaken Holt Nursing Home, near Oxford aged 89 years. Former partner in Manchester solicitors David, Blank and Furniss, he will be sadly missed by family and friends. Funeral at Oxford Crematorium on Friday June 19th at 11.45 am. Enquiries to K. Green & Co., 21 High Street, Eynsham, Tel: 01865 806037. BAUNFAIR - Doris May (née Gray) on 13th June 1998, after a courageous fight against cancer, widow of Leslie Baunfair, much loved mother of Paul and Lesley and adored grandmother of Bruno. Led an active life. Enquiries to Ballard and Marchant tel: 01823 800888. BALL - Michael George JP (widely known as 'Mick'), 12th June. Dearly loved husband of Joan, a devoted father of Charles, Nicola and Neil. Devoted grandfather and a much loved uncle. Service at St John's Parish Church, 19th June at 11.30 am. Donations, if so desired, to the Royal British Legion, 21 High Street, Eynsham, Tel: 01865 806037. COGHAN - Marie Lilian (née Lacey) died peacefully at Larchfield Hospice, 12th June. Dearly loved mother of Paul and Lesley and adored grandmother of Bruno. Led an active life. Enquiries to Ballard and Marchant tel: 01823 800888. FELL - William Matthew CBE, Director of Audit, 6th June 1998 at 7y Olwyn hospice, Swansea, aged 81. Dearly loved husband of Joan and father of Hugh and Mark. FOSKETT - Daphne F.R.S.A. Died on June 12th aged 98 years. Widow of the former Bishop of Fife, the Rt. Revd. Reginald Foskett and much loved mother of Patricia and Helen. Funeral at St Albans Parish Church, Southill, on Wednesday June 24th at 11.45 am, followed by private cremation. Flowers to St Andrew's Church, 125 Stratford Road, Southill, Bedfordshire. GRANT - Gregor James, MC. Peacefully at the Old Manse, Rosemarkie, Ross-shire, Scotland, on 12th June 1998. After 61 years of marriage. Beloved husband of Jean. Beloved father of Ian, Elizabeth, Elizabeth, Fiona, Nicola, Andrew, Julia and Hannah. Family flowers only. Funeral on Thursday 18th June at 11 am, followed by private cremation at St Andrew's Church, Old Manse, Rosemarkie, Ross-shire, Scotland, on 12th June 1998. After 61 years of marriage. Beloved husband of Jean. Beloved father of Ian, Elizabeth, Elizabeth, Fiona, Nicola, Andrew, Julia and Hannah. Family flowers only. Funeral on Thursday 18th June at 11 am, followed by private cremation at St Andrew's Church, Old Manse, Rosemarkie, Ross-shire, Scotland, on 12th June 1998. After 61 years of marriage. Beloved husband of Jean. Beloved father of Ian, Elizabeth, Elizabeth, Fiona, Nicola, Andrew, Julia and Hannah. Family flowers only. Funeral on Thursday 18th June at 11 am, followed by private cremation at St Andrew's Church, Old Manse, Rosemarkie, Ross-shire, Scotland, on 12th June 1998. After 61 years of marriage. Beloved husband of Jean. Beloved father of Ian, Elizabeth, Elizabeth, Fiona, Nicola, Andrew, Julia and Hannah. Family flowers only. 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OBITUARIES

ERIC TABARLY

Eric Tabarly, French yachtsman, drowned after falling from his yacht off the Welsh coast in the small hours of June 13 aged 66. He was born in Nantes on July 24, 1931.

Over a lifetime of competitive sailing that began with victory in the 1964 Observer Singlehanded Trans-Atlantic Race (OSTAR), Eric Tabarly developed a reputation as one of the toughest deep sea yachtsmen of his era. In 1964 he was an unknown 32-year-old French Navy lieutenant, but his 44ft ketch Pen Duick II had been designed specifically to win the race.

One of 16 entrants, he was up against favourites like Francis Chichester, who had won the first transatlantic race four years earlier, and his boat was much larger than that generally held as being suitable for single-handed sailing.

Not only did he surprise everyone by winning, but he easily broke the 30-day barrier for the 3,000 mile crossing, beating Chichester's record by 13 days. Throughout the voyage, Tabarly maintained radio silence with the outside world, preferring to concentrate on his sailing instead. "I do not like these radio instruments," he told race officials at the finish, at Newport, Rhode Island.

This attitude goes some way to explaining why the yacht from which he fell - the original Pen Duick inherited from his father in

which he had been joined by four crew members for a voyage from Newlyn, Cornwall, to Belfast - was not equipped with any radio equipment.

Remarkably, in 1964 Tabarly had been forced to sail the final 2,000 miles of his first transatlantic race without self-steering after the wind vane on his yacht broke a third of the way into the race. For the last two weeks of the voyage he could only catnap at the helm and got no sleep at all during the final 48 hours.

His victory made such an impression in France that President de Gaulle made him an Officer of the Legion d'Honneur as soon as he heard the news, and Tabarly flew home to a ticker-tape parade down the Champs Elysees where the French love affair with this adventurer began. In 1968 Tabarly returned for a second attempt at winning the OSTAR but was forced to pull out when the self-steering gear on his 67ft trimaran, Pen Duick IV, began to disintegrate at high speed.

He returned again in 1976, this time with a 74ft maxi, Pen Duick VI, normally crewed by 18 men, but this time he found himself up against both larger and faster craft including the 236ft Club Mediterranee, skippered by his fellow Frenchman Alain Colas. It proved to be one of the toughest races on record as the fleet was lashed by one storm after another. Even Tabarly thought of throwing in the towel after his self-steering gear broke 1,000 miles into the race. For a day, he headed away south-east, "to give myself time to think" before deciding he could carry on after all. "It was hard, but it was possible," he told incredulous officials on arrival at Newport.

Tabarly could not have known that Colas had broken all her halyards and been forced to head for St John's, Newfoundland, and that his other principal rivals, sailing faster multi-hulls, had also been knocked back by the storms, because he refused to listen to the radio. He finished first, 24 days after leaving



Supreme seamanship skills: Tabarly and Pen Duick VI at the end of the 1977-78 Whitbread Round the World race

Plymouth, some seven hours ahead of his nearest rival, arriving on the dock with fatigue etched deeply across his unshaven face.

He was a man who kept himself supremely fit and, as Chichester described him, was "as tough as old boots". In 1969, he won the single-handed transatlantic race from San Francisco to Tokyo in his 35ft Pen Duick V - one of the first yachts to be fitted with water ballast - after taking only 40 days to cover the 5,700 miles to Yokohama.

He had a no-compromise attitude to winning that others sometimes found difficult to comprehend. In Pen Duick III, for instance, which he won two

Sydney-Hobart races and set a record for the Cowes week opening Channel Race, was designed specifically as a rule-breaker. The measurement rules had just been changed to insist that all the yachts be fitted with an engine. They did not specify that the engine had to work, so Tabarly merely installed the obligatory (but non-functional) engine upside down to lower the yacht's centre of gravity and improve stability.

Pen Duick VI which, like all his yachts was sponsored by the French Navy, was the first to be fitted with a keel made from spent uranium. It did not help him much, for the yacht, which was dismasted

twice during the 1973-74 Whitbread Round the World race, was disqualified from the 1977-78 event when the rules were changed midway through the circumnavigation.

Tabarly was one of the first to experiment with hydrofoils, though he finished a disappointed fourth aboard his 60ft foil-borne trimaran Paul Ricard in the 1984 OSTAR. In 1988 he returned across the Atlantic to smash the record for the New York-Lizard crossing, set by the schooner Atlantic back in 1906, just six weeks after The Sunday Times had posted a £10,000 purse for the first crew to beat what was seen as an almost impossible feat.

He had less success in the Whitbread race, an event which, from his record, he should have shone in. But damage sustained to his yacht left him as an also-ran in the 1973-74, 1977-78, 1985-86 and 1993-94 races.

Extremely shy, Tabarly used the pretence that he could speak only French, to restrict his communication with the outside world. In fact, he had a very good command of the English language, but simply never came to terms with using the radio proficiently, despite his naval training. During the 1985-86 Whitbread race, his crew used a second radio installed on his yacht Côte d'Or to trick him into believing he was

having a radio conversation with his designer Xavier Joubert about a highly secret project to build a new trimaran. "I have good and bad news for you Eric," the radio pronounced with the squeal (distortion) turned right up to distort the transmission. "The sponsor has agreed to fund the new boat, but insists that it must be the largest multi-hull in the world. Her length has been set at 120ft."

Tabarly spent the next two days pacing the deck of his maxi yacht on the leg from New Zealand to Cape Horn, pondering how he could possibly control such a large sailing vessel alone, until his crew, who all had the greatest respect for his abilities, finally came clean that it was one of their number who had made the distorted transmission while hidden under a sail bag in the bows.

Eric Marcel Guy Tabarly, a Breton who sailed his famous succession of yachts named Pen Duick (the Breton name for a species of tit), did much to generate the enormous interest in yachting that made it the number two sport to cycling in France. He had retired from the Navy in 1966 but after his victory in 1964 had been seconded to the French Ministry of Youth and Sport where he worked until 1971. Since then he had been inspector of sailing at the Fontainebleau school of interservice sport. Most of his country's top names including the America's Cup skipper Marc Pajot, and Alain Colas sailed under him during their youth.

It is ironic, perhaps, that the one man who appeared to be immortal on a boat, should fall overboard without a safety harness or life jacket, while the one piece of equipment that he abhorred most - the radio - might have led to his rescue had one been fitted on his yacht. Instead, Tabarly's inexperienced crew were unable to raise help for seven fateful hours until their flares were seen by a passing yacht. By that time Tabarly had almost certainly drowned.

Eric Tabarly leaves his widow Jacqueline and a daughter.



Eric Hinchliffe, nuclear production scientist, died on May 16 aged 85. He was born on August 27, 1912.

ERIC HINCHLIFFE was a scientist who in a quiet way contributed to both the war effort and the subsequent peacetime nuclear power effort. He had spent the last year of the war as an RAF squadron leader in India and Burma. Fortunately for the new British nuclear industry, he was demobbed in Lancashire close to the atomic plant which was faced with the problems of producing

uranium at the time. This led to his making a major contribution to metallurgical needs for nuclear power and defence for three decades.

Eric Hinchliffe was born to a family of calico-printers at Hadfield in Derbyshire. His childhood ability was soon appreciated, leading him to be selected in that Labour area to sing The Red Flag solo in public at the age of eight, with the result, he later explained, that he became a staunch Conservative for the rest of his life. He won a double scholarship from Ayrton Grammar School to London University's Royal School of Mining,

and in 1934, with a BSc in metallurgy, he went to work at a gold mine in West Africa. But after a year he left the job, disgusted by the corruption of the American management. The Birmingham iron industry proved more to his taste, but when war broke out he was disappointed to find that he was in a reserved occupation which at first prevented him from joining up.

Late in the war he was allowed into the RAF, learning to fly in Arizona, where he gained special distinction for flying P47 Thunderbolts. He flew in India and then Burma, operating close air support for the

14th Army's offensive against the Japanese. There, towards the end of the war, he was instructed to lead a night attack behind enemy lines using troop-carrying gliders. He was uneasy about the prospects of success, so it was a relief to him when the atomic bomb attacks on Hiroshima and Nagasaki ended the war abruptly.

Employed at Kirkham in Lancashire, he began work in the atomic industry at Springfields, near Preston. He was soon appointed metallurgist in charge of the manufacture of uranium fuel elements for the Harwell and Windscale

reactors, which involved casting and machining uranium rods before encasing and carefully sealing them in finned aluminium cans.

In 1956 he moved to the Dounreay reactor on the north coast of Scotland, to become assistant works manager for fuel element plants. This involved overcoming a complex of managerial and metallurgical problems to build and operate new plants to manufacture advanced fuel elements. This meant primary casting of uranium billets, secondary casting of core rods, machining, heat treatment, electroplating and element assembly, all with intensive inspection and safety control to avoid radiation leaks. All this was done on a greenfield site using labour with little or no engineering experience.

After three years Hinchliffe moved to the Atomic Weapons Research Establishment at Aldermaston, where he controlled several large buildings producing a range of metals including plutonium, natural and enriched uranium, and beryllium in the precise shapes and coatings required for weapons purposes. It was secret, specialised and pioneering work. Though quiet unassuming, he was regarded by his staff as having unusually sound managerial ability, based on experience and common sense. He retired in 1976 to enjoy his large garden and talented family.

During a short spell in hospital after the war, Hinchliffe had kept other patients cheerful by doing handstands and somersaults, so endearing himself to the ward sister in the process that she married him in 1948. His wife Hilary was later appointed MBE for her work on establishing the Arts Workshop in Newbury. She survives him, along with their daughter and three sons.

John Roger "Mickey" Bickford Smith, CB, Senior Master of the Queen's Bench Division of the High Court of Justice, 1983-88, died on May 14 aged 82. He was born on October 31, 1915.

MICKEY BICKFORD SMITH applied astute, if idiosyncratic, sense in judicial matters. An application by a plaintiff for judgment without trial on the basis that the evidence was overwhelming had the surprise result of the action being dismissed as frivolous. An apparent examination of cracks in the ceiling had nevertheless firmly indicated to him that counsel's submissions were failing. On another occasion, after gazing intently out of the window, he suddenly interjected: "Do you realise that is a kestrel flying there?" (It was true; a chick was later found in a Master's room.) Sometimes he disappeared, perplexing counsel, before reappearing, after consulting colleagues, beaming with the answer.

John Roger Bickford Smith gained the sobriquet "Mickey" at his prep school, The Dragon in Oxford, where there were 12 Johns in his class of 13. He had been born in Vienna, and as a King's Scholar at Eton, his childhood German based fluency, and after perfecting his French in Besancon, he took up his scholarship at Hertford College, Oxford, reading modern history.

In 1939 he married Cecilia Judge Heath and, on the outbreak of war, he was commissioned into the Duke of Cornwall's Light Infantry, which took him to India. He was called to the Bar in 1942, and joined the Judge Advocate General's Department.

Prosecuting supporters of the Indian National Army, which had been created by the Japanese, caused Bickford

MICKEY BICKFORD SMITH

Smith moral anguish, because most of the accused were duly executed. He retained a lifelong opposition to the death penalty.

He returned to England in 1944 and served in the British Control Commission in occupied Germany as a lieutenant-colonel. In 1950 he was awarded the Territorial Decoration.

After the war he joined the chambers of Sir Patrick Hastings and went to work on the Midland Circuit. He also wrote a textbook on the Crown Proceedings Act, 1947. He acted regularly for injured Nottinghamshire miners, for whom he had a high regard. His practice successfully culminated in the long running Garnac Grain v Faure & Fairclough, which ended with an 11-day hearing in the House of Lords. More confident as a lawyer than an advocate, he sought early judicial preferment.

In 1967 Bickford Smith became a Master of the Queen's Bench Division of the High Court. He was appointed Senior Master and Queen's Remembrancer in 1983, and found that the formal duties of rendering the quit rent to the Crown, nomination of High Sheriffs, and the Trial of the

Pyx appealed very much to his love of ceremony. In 1986 Bickford Smith became Master of the Bowyers' Company, an office he held for two years. He was appointed CB on his retirement as Queen's Remembrancer in 1988.

By keeping in touch with the Bar once his duties became almost exclusively ceremonial, Bickford Smith remained sensitive to the profession's needs. His contact was kept up, usually out of hours, in a social environment, and he revelled in the Bar's continuing companionship. The present friendly collegiate atmosphere of the Masters' Corridor owes much to his influence. He enjoyed good food with friends and was an enthusiastic member of the Garrick Club. He had a profound knowledge of history and the classics, and was always ready to share his strong opinions.

After the dissolution of his first marriage in 1971, he married Baroness Miranda von Kirchberg-Hohenheim. She died in 1997. Two sons survived him from his first marriage. A Bencher of the Inner Temple himself, he was delighted when his son, Stephen and his daughter-in-law, Margaret, uniquely became Benchers on the same day.



Bickford Smith during the 1960s

ERIC HINCHLIFFE

MICKEY BICKFORD SMITH

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# Germany is safe third country

**Regina v Secretary of State for the Home Department, Ex parte Iyadurai**

Before Lord Woolf, Master of the Rolls, Lord Justice Auld and Lord Justice Buxton  
[Judgment June 10]

The Home Secretary had been entitled to conclude that Germany was a safe third country to which an asylum seeker could be removed, without having his claim for asylum first determined in the United Kingdom, and to issue a certificate to that effect under section 2 of the Asylum and Immigration Act 1996.

The Court of Appeal so held in a reserved judgment granting Thayarajan Iyadurai leave to apply but dismissing his application for judicial review of the Home Secretary's decision to issue a certificate under section 2 of the Asylum and Immigration Act 1996 authorising his removal to Germany as a safe third country for investigation of his claim for asylum under the Convention and Protocol relating to the Status of Refugees (1951 (Cmd 917) and (1967) (Cmd 3506)).

The applicant, a citizen of Sri Lanka, arrived in the United Kingdom from Germany on September 19, 1997.

Mr Manjit S. Gill and Miss

Ursula Miskiel for the applicant; Mr David Pannick, QC and Miss Lisa Giovannetti for the Home Secretary.

THE MASTER OF THE ROLLS said that the applicant's submissions depended upon the way claims for asylum were dealt with generally in Germany. His criticisms of the German court related to the question as to what constituted a well founded fear of persecution.

In the United Kingdom the test for that had been authoritatively decided in *R v Secretary of State for the Home Department, Ex parte Sivakumaran* ([1988] AC 958, 994).

"There has to be demonstrated a reasonable degree of likelihood that he will be persecuted for a Convention reason if returned to his own country."

The evidence relied upon by the applicant indicated that certain of the German Federal Administrative Court's jurisprudence indicated that an asylum claimant had to establish a notable or considerable probability of persecution in order to succeed.

The Home Secretary had relied upon an opinion obtained from Professor Kay Heilbroner, Director of the Centre for International and European Law on Immigra-

tion and Asylum, who had pointed out that the requirement of considerable probability was not to be interpreted in a mathematical statistical way.

It required an evaluation of risk taking into account all the circumstances of the case. The test was met if, in consideration of all the circumstances, a reasonable person in the situation of an asylum seeker would be afraid of persecution.

What was essential was that by comprehensive evaluation of all the circumstances on balance the factors indicating a danger of persecution weighed more heavily than those indicating the asylum seeker's safety.

The material as to the position in Germany relied upon by the applicant had called for a response by the Home Secretary.

While the fact that Germany was a signatory to the Convention was a relevant matter the Home Secretary could not rely on that alone. He was required to take reasonable steps to inform himself of the position in Germany.

Amongst the states who were parties to the Convention, it was inevitable that procedures would differ and topics such as the burden and standard of proof would be expressed in somewhat different terms.

Where what was under consideration was a Convention drafted in the style of the 1951 Convention, it was inevitable that there would be differences of emphasis and linguistic distinctions between how the Convention was approached among the signatory states.

Taking into account the opinion of Professor Heilbroner, the Home Secretary had been entitled to conclude that the German authorities did not adopt an approach which was outside the range of responses of a contracting state acting in good faith to implement its obligations under the Convention. Care had to be taken not to subject the approach adopted in other states to an over technical comparison.

The higher recognition rate in Germany for Sri Lankan asylum seekers than in the United Kingdom undoubtedly supported the opinion which was the Home Secretary's.

He had to take reasonable steps to inform himself of the position in Germany and that he had done. No more was required of him.

Lord Justice Buxton gave a concurring judgment and Lord Justice Auld agreed.

Solicitors: Sri Kanth & Co, Wembley; Treasury Solicitor.

# Physical damage in radioactivity

**Blue Circle Industries plc v Ministry of Defence**

Before Lord Justice Simon Brown, Lord Justice Auld and Lord Justice Chadwick  
[Judgment June 10]

Contamination of the plaintiff's land by radioactive material from an overflowing pond on the defendant's land was a breach of the duty imposed by section 7(1)(a) of the Nuclear Installations Act 1959 not to damage property by an "occurrence involving nuclear matter" and, although the consequence was economic, in the sense that the property was worth less and expenditure was incurred in removing the contaminated soil, the damage was physical.

The amount of compensation to which the plaintiff was entitled under section 12 of the Act was not limited only to the damage to the marshland, but extended to the resulting diminution in the value and saleability of the whole estate.

The Court of Appeal so stated, inter alia, when dismissing the appeal of the defendant, the Ministry of Defence, from the decision of Mr Justice Carraway (*The Times* December 11, 1996) whereby he held that the defendant was guilty of a breach of statutory duty and awarded the plaintiff, Blue Circle Industries plc, damages of £6,048,617.65 inclusive of interest.

On July 6, 1989 a storm caused ponds situated on land at the Atomic Weapons Research Establishment at Aldermaston to overflow down a stream through marshland into a lake on the Aldermaston Court Estate owned by the plaintiff. The marshland became contaminated with radioactive material. Blue Circle claimed against the ministry, inter alia, damages for breach of duty under the 1959 Act.

Mr Charles Flint, QC and Mr Thomas Crofted, for the ministry; Mr Ronald Walker, QC, Mr Antony Edwards-Stuart, QC and Mr Stephen Worthington for Blue Circle.

LORD JUSTICE ALDUS said that Mr Flint submitted that before there could be a breach of the duty imposed by section 7(1)(a) there had to be "damage to property" which arose out of or resulted from radioactive properties, namely the physical and chemical properties of radioactive substances.

Thus there must be physical damage to Blue Circle's property which arose out of or resulted from the physical or chemical properties of the radioactive material deposited in the marshland. That, he submitted, did not occur. To support that submission he relied on evidence given by expert witnesses and the findings of the judge as to the effect of the radioactive material upon the marshland.

The judge had considered the evidence as to the levels of radioactivity and the risk that was involved to plants and humans in the area of the marshland and had concluded:

"The overall conclusion of the evidence is not in dispute. The 1989 incident resulted in levels of radioactivity well above the normal background levels and above the regulatory threshold. However, even before any remedial work, and applying pessimistic assumptions, they were well below levels which would have posed any risk to health."

Mr Flint relied upon that conclusion to support his submission that the marshland had not been physically damaged by the radioactively contaminated soil. It was physically damaged by the radioactively contaminated soil in the same way as the marshland was damaged by a very small amount of plutonium. No doubt the plutonium emitted ionising radiations above the level set by the regulations, but the radioactivity was not such as to cause harm nor had it changed the properties of the soil.

Removal of the soil was necessary because of the regulations, not because there was any damage to the marshland caused by radioactive properties. He asked: What was it that could have damaged the marshland?

The answer was, he submitted, the emission of ionising radiations from the plutonium. But the radiations did not do any physical or chemical damage to the soil in the marsh nor did they pose any potential or actual risk to the vegetation or to humans. Thus there was no damage to the property arising out of or resulting from the radioactive properties of the plutonium.

That result was, he submitted, consistent with the intention of the Act when subsections (1)(a) and (b)(ii) of section 7 were read together. Section 7(b)(i) applied to damage to property from ionising radiations from waste discharged from a site.

Blue Circle did not suggest that such damage had occurred in the present case. It would therefore be odd, he submitted, if section 7(1)(a) went wider and permitted recovery, not in respect of the physical effect, but in respect of the economic effect of the intermingling of the plutonium with the soil in the marsh.

In his Lordship's view, the judge was right to reject Mr Flint's submissions. The physical damage to property contemplated in section 7(1)(a) was not limited to particular types of damage. Damage within the Act would occur provided there was some alteration in the physical characteristics of the property, in the present case, the marshland, caused by radioactive properties which rendered it less useful or

less valuable: see *Hunter v Canary Wharf Ltd* ([1997] 1 AC 655, 670). His Lordship had no doubt that there was such an alteration in the present case.

The plutonium intermingled with the soil in the marsh to such an extent that it could not be separated from the soil by any practical process. The marshland became radioactive with the result that it was "radioactive waste" as defined in the Radioactive Substances Act 1960.

The marshland was less valuable as was apparent from the valuation evidence given by the experts and the accepted fact that the estate was unsaleable until the contaminated soil had been removed.

Further, the level of contamination was such that the topsoil of the marsh had to be excavated and removed from the site because the level of radioactivity exceeded that allowed by the regulations.

The damage in the present case was not mere economic damage and therefore the reasoning in such cases as *Murphy v Breckwood District Council* ([1991] AC 398) did not apply.

The land itself was physically damaged by the radioactive properties of the plutonium which had been admixed with it. The consequence was economic, in the sense that the property was worth less and required the owner to expend money to remove the topsoil, but the damage was physical.

Section 12 of the 1959 Act required compensation to be paid where there had been a breach of duty imposed by, inter alia, section 7(1)(a).

It was submitted that in the present case the kind of loss for which Blue Circle should be compensated was limited to the cost of reinstatement of the marshland or the diminution in its value.

Lord Justice Simon Brown and Lord Justice Chadwick gave concurring judgments. Solicitors: Treasury Solicitor; Reynolds Porter Chamberlain.

did not extend to any loss in value to the rest of the estate, that, it was said, was pure economic loss and therefore not recoverable.

Reading sections 7 and 12 of the 1959 Act together, his Lordship did not discern any limitation which would prevent the normal rules of assessment of damages applying. The 1959 Act imposed a duty not to damage property by radioactive properties.

Having concluded that the marshland was damaged by radioactive properties, the only remaining question was: How much compensation should be paid by virtue of section 12 of the 1959 Act?

The answer had to be the full losses of Blue Circle caused by the damage which were reasonably foreseeable and not too remote. Such losses were not limited to the damage to the marshland.

In the present case Blue Circle owned the whole of the Aldermaston Court Estate extending to 137 acres. The principal features were Portland House, the Manor House and the lake with its surroundings.

The marshland was not a principal feature of the estate, but it was situated close to the lake and towards the middle of the property. Thus it must have been reasonably foreseeable that damage to the marshland would affect both the use and the value of more than the marshland.

Every valuation witness agreed that the contamination of the marshland meant that the estate as a whole was worth less than it was before the contamination.

His Lordship rejected Mr Flint's submission that the loss for which Blue Circle should be compensated was limited to the cost of reinstatement of the marshland or the diminution in its value.

Lord Justice Simon Brown and Lord Justice Chadwick gave concurring judgments. Solicitors: Treasury Solicitor; Reynolds Porter Chamberlain.

# Date of costs relevant

**Liverpool City Council v Worthington and Others**

For the purposes of an appeal by way of case stated under section 11(3) of the Magistrates' Courts Act 1980, the term "the day on which the court sentences or otherwise deals with the offender" included a day on which a decision on costs was made. Where a decision on costs was the final termination of proceedings, a party aggrieved by a decision of the magistrate had 21 days from that date to ask the magistrate to state a case.

The Queen's Bench Divisional Court (Lord Justice Simon Brown and Mr Justice Hooper) so held on June 2, allowing an appeal by way of case stated by Liverpool City Council against the decision of the Merseyside stipendiary magistrate on December 19, 1997, making an abatement order under section 82(2) of the Environmental Protection Act 1990 in respect of Childwall School, Liverpool 15.

LORD JUSTICE SIMON BROWN said that the words of the statute were entirely apt as a matter of language to encompass a costs order, if that was the final termination of the proceedings.

# Extending period of defaulter's bankruptcy

**Jacobs v Official Receiver**

Before Michael Burton, QC  
[Judgment April 3]

Where, on an application under section 279(3) of the Insolvency Act 1986, there was a prima facie case of default on the part of a bankrupt but insufficient time for the allegations of default to be given a full hearing prior to the date of the bankrupt's discharge, the correct course of action was for the court to make an order under section 279(3) extending the period of bankruptcy until the earliest date when the matter could be heard on a contested basis.

Mr Christopher Boardman for the bankrupt; Mr Rupert Butler for the trustee in bankruptcy.

HIS LORDSHIP said that the trustee in bankruptcy had taken the view that the bankrupt had been giving inadequate cooperation to him over a period of time.

He contacted the Official Receiver, who made a report dated January 14, 1998 supporting an application under section 279(3) of the 1986 Act. The application was returnable on February 6, 1998, the day before Mr Jacobs was due to be automatically discharged from bankruptcy under section 279 of the Act.

The hearing on February 6 was listed, effectively by way of a directions hearing, for only half an hour. The matter had to be adjourned to give both sides the opportunity of a full hearing in front of a district judge during daylight hours.

Both counsel agreed that if no contrary order was made by the

court may order that the relevant period under this section shall cease to run for such period or until the fulfilment of such conditions (including a condition requiring the court to be satisfied as to any matter), as may be specified in the order."

Mr Boardman submitted that the trustee in bankruptcy had taken the view that the bankrupt had been giving inadequate cooperation to him over a period of time.

He contacted the Official Receiver, who made a report dated January 14, 1998 supporting an application under section 279(3) of the 1986 Act. The application was returnable on February 6, 1998, the day before Mr Jacobs was due to be automatically discharged from bankruptcy under section 279 of the Act.

The hearing on February 6 was listed, effectively by way of a directions hearing, for only half an hour. The matter had to be adjourned to give both sides the opportunity of a full hearing in front of a district judge during daylight hours.

Both counsel agreed that if no contrary order was made by the

court the discharge at the end of the three-year period was automatic.

Thus if there were no order made under section 279(3) extending the period, the adjourned hearing when it came on would have been pointless, because the bankrupt would already have been discharged. Therefore the district judge adjourned the matter to April 14 and suspended Mr Jacobs' discharge until that date.

Mr Boardman submitted that the district judge had no power to do that. Before the district judge could make any order under section 279(3) he had to be satisfied that the bankrupt had failed, or was failing, to comply with any of his obligations.

The district judge could not have been so satisfied and did not express himself to be so. Accordingly, Mr Boardman submitted, the order was made without jurisdiction and the automatic discharge provisions should have applied notwithstanding that there had been no resolution of the issue between the parties.

His Lordship rejected that submission. He was satisfied that in the absence of any other evidence to the contrary, the reports from the Official Receiver would have been sufficient to enable an order to

have been made under section 279(3).

One should not need to strain the language of section 279(3) in order to introduce or recognise a condition which was well known in law and equity that where a deadline was about to expire and there was a contested issue which could not be resolved between the parties, the courts would be prepared in an appropriate case to grant an injunction, without hearing the full argument on both sides, on *Qyanamid* ([1975] AC 396) or other principles, in order to extend that deadline without having resolved it, but on the other hand without creating the automatic prejudice to one party or to the other of the deadline lapsing simply by virtue of the absence of court time or the inability of the parties to be ready for a full argument and resolution.

The appropriate order was for the district judge to be satisfied that the default was shown on the report, and that there should be an extension, but that in the interests of natural justice the shortest possible extension should be granted to the earliest date when the matter could be heard on a contested basis.

Solicitors: Max Bixel Greene; Windworth & Pemberton.

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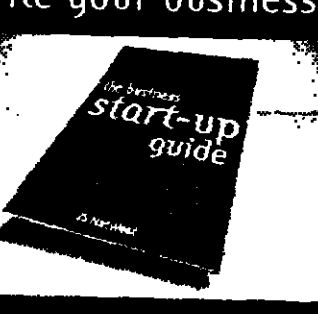
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Our company, Cotecna Inspection S.A. has recently been implicated in proceedings initiated in Switzerland upon the request of the Pakistani Government.

In this context, the Management of Cotecna Inspection S.A. has seen itself blamed for debts linked to the legitimate payment of commissions to its agent.

We wish to categorically state that no company employee has ever, directly or indirectly, committed any action which does not scrupulously respect national and international laws, as well as recognised practice in international trade and industry.

Our company deplores being the victim today of Pakistan's internal political rivalries, which overflow onto the international scene.

In September 1994 Cotecna Inspection S.A. was awarded a five year contract for the assessment of Customs values of Pakistan's imports.

This contract was unilaterally and illegally terminated after two years when the new Government took over.

These two years of operation brought to light uncollected Customs duties identified by ourselves in the course of our mandate and amounting to over 650 million dollars. This result has been audited and confirmed by the international and independent auditors Price Waterhouse. To the best of our knowledge, the new Pakistani Government has, to date, taken no measure whatsoever to correct this apparent fraud.

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As the franchise exhibition season continues Rodney Hobson looks at successes and pitfalls

# 'Seller beware' is new warning for the unwary

FRANCHISORS are laying themselves open to major claims for damages because they fail to take proper care over the information they give to potential franchisees, a leading legal expert on franchising says.

Franchisees are becoming increasingly willing to go to court if their businesses fail to live up to expectations held out at exhibitions or in marketing brochures, according to John Pratt, head of franchising at Pinsent Curtis, a national law firm. They naturally seek to blame others rather than themselves for their failure, and the franchisor is an obvious target.

He says: "Many franchisors are wide open because their marketing literature is written too loosely and, in seeking to attract franchisees, they allow themselves to make assertions about profits and success which can backfire when the franchisee fails to make a go of the enterprise."

"Unless franchisors take greater care, lawyers could be in for a real bonanza."

Mr Pratt, a member of the British Franchise Association legal committee, has carefully studied 360 prospectuses issued by different franchisors.

He says: "On seeking legal



Pratt: disclaimers rejected

advice, franchisees almost invariably claim that the franchisor has failed to comply with the obligations in the agreement and that the franchisor has misrepresented the advantages of the franchise."

"The Legal Aid Board has been willing to fund actions by franchisees who can claim that profits, turnover or margins have fallen short of what the franchisor had indicated."

The board's role is not to decide who is at fault but to assess whether there is a reasonable claim to take to court.

Mr Pratt says: "As a result, franchisees and their lawyers have found it relatively straightforward to fund such actions which are doubly unwelcome for franchisors. Franchisors not only have to go to the expense of fighting such claims but have to do so in the knowledge that if they win they will have incurred substantial legal costs which they are unable to recover from a legally aided plaintiff."

"In such circumstances some franchisors have adopted a policy of settling such claims, even those with little or no merit, on the ground that this is likely to be the

cheapest alternative. Other franchisors have taken the view that to adopt this approach simply encourages claims to be made against them and have therefore, as a matter of policy, taken a stance against such claims."

Mr Pratt says that legal aid will probably cease to be available in such actions from this autumn but this will not lead to a fall in claims because of other developments. It will be possible for lawyers to charge a conditional fee so they are paid only if they win.

Mr Pratt also believes that lawyers will be able to insure against failure relatively cheaply. In addition, the Lord Chancellor is considering ways of facilitating multi-party actions.

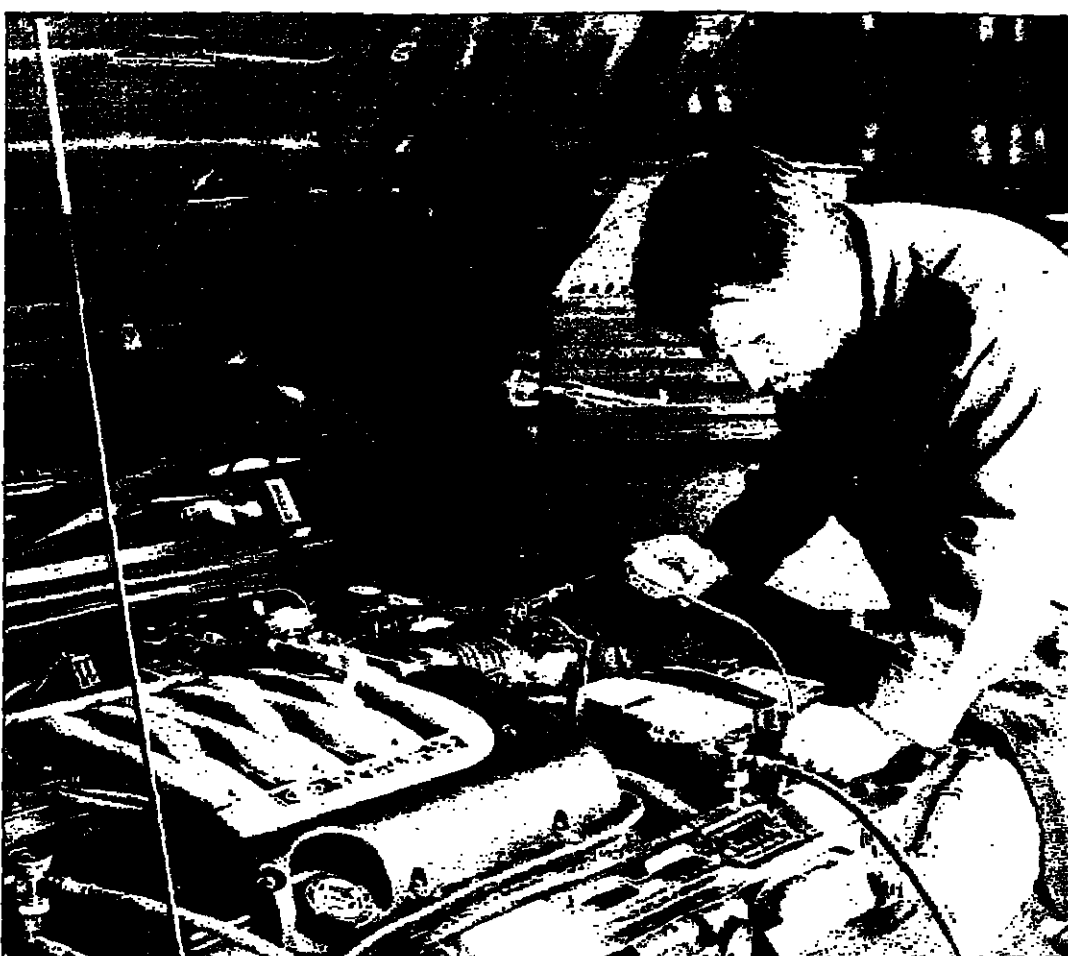
He says that case law has made franchisors more vulnerable to claims.

A statement of opinion can now be held to be a misrepresentation if a reasonable person with knowledge of the facts could not have honestly held such a view. As the franchisor is in a far stronger position than the franchisee to ascertain the facts, courts will listen more sympathetically to franchisees who allege misrepresentation.

Because the two parties to a franchise have a "special relationship", courts will make no distinction between facts, opinion and intentions and it may even be possible to argue that failing to disclose information can amount to a misrepresentation.

Mr Pratt believes that franchisors cannot get away with putting a disclaimer in the franchise agreement to exclude liability for misrepresentation.

He says: "Undoubtedly courts will be reluctant to allow franchisors who provided information that turned out to be inaccurate to avoid liability on the basis of contractual provisions inserted by the franchisor's lawyers in a contract that the franchisee is unable to amend. It would therefore be unwise for a franchisor to rely on even a carefully worded exclusion clause."



Coolair UK, a Lincolnshire-based manufacturer of air conditioning systems for vehicles, is the latest company to launch into franchising. It has appointed JCS-Kegworth, a car dealership at Kegworth, Leicestershire, as its first franchisee. The franchise is being offered initially to companies already established in the motor trade as a "bolt-on" business to minimise start-up costs. About 20 per cent of the UK's new cars now have air conditioning.

## Lawyer urges caution over claims to promote business

JOHN PRATT, head of franchising at Pinsent Curtis, has warned franchisors to take great care over comments made in support of their businesses.

He says there are five common areas where misrepresentations can be made: exhibitions, comments to journalists, advertisements, the franchise prospectus and business plans.

Franchisors frequently make comments at exhibitions feeling that they are immune because the remarks are oral and there will inevitably be further discussions with franchisees where clarification and further information can be provided. As a result, exhibitions are often seen as a situation where somewhat over-ambitious

statements are made. These can, however, come home to roost.

He says disgruntled franchisees and their lawyers may attend exhibitions with independent witnesses to obtain confirmation that exaggerated claims are being made by the franchisor.

Franchisors are keen to co-operate with editorial coverage in franchise magazines. Although remarks made by a franchisor may be reported in the words of a journalist, the franchisor could still be regarded as having made the statement.

Many advertisements contain indications of likely profitability. Often they promise that the franchisor has management experience and that professional training will be provided.

Few, if any, franchisees are taken on without receiving a prospectus from the franchisor. Mr Pratt says: "Many franchisors feel that if competitors quote profit figures and earnings they will have to do the same. Sometimes this results in a spiral where competing franchisors make increasingly exorbitant claims about the profitability of the business."

It is possible, Mr Pratt feels, that franchisors can absolve themselves from blame for inflated figures in the prospectus by helping franchisees to draw up business plans with revised figures. However, any information given to help the franchisee to obtain a loan is likely to be treated by the courts as a representation.

## High hopes for record Glasgow exhibition

ORGANISERS are hoping for a record Glasgow franchise exhibition next week after the success of the London show in April. Exhibitors will include Kall Kwik, Signs Express, Humana, Stainbusters, Chemical Express and BT.

Signs Express, the computerised signage specialist based in Norwich, is targeting Scotland, where it already has eight franchisees, as a growth area.

CII, which runs three of the four British franchise exhibitions, says there are now more than 60 stands booked at the Scottish Exhibition and Conference Centre on June 26 and 27. More than 10,000 people turned up at Wembley, where 120 franchisors, plus banks and other professional advisers, took stands.

The rolling franchise bandwagon has prompted Millar Freeman, a rival conference organiser, and the British Franchise Association to launch the country's first national franchise week to coincide with Millar's event at the National Exhibition Centre, Birmingham, in October.

Wimpy Restaurants has been named Franchisor of the Year in the annual British Franchise Association awards. The Freedom Group was named Newcomer of the Year. Rosemary Conley Diet and Fitness Clubs won the Midland Bank Award for a franchisor that has demonstrated a significant contribution to franchising and a high quality of service to franchisees. The Sir Bernard Ingham award for demonstrating research and financial planning went to Sevenoaks Sound and Vision.

Kendlebell, the franchised business telephone answering service, is offering to sign on small businesses for just one month during the World Cup. The minimum charge is £25 a month. Details on 0800 0727 727.

Whittard of Chelsea, the tea and coffee specialist, was the first UK company to sign up for the newly launched Horwath International Franchise Registry. The registry is open to companies and individuals seeking to appoint or become master franchisees or area developers. Further information is available from Horwath Franchising on 0171-917 9824.

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NEWS

Fighting mars England victory

England's victorious start to the World Cup was marred by another day of running battles between rival gangs of football hooligans and riot police in Marseilles yesterday.

As goals from Alan Shearer and Paul Scholes gave England victory over Tunisia, fans from both sides were fighting hand-to-hand on the beach a mile away, where thousands of ticketless supporters had been watching the game on a giant screen..... Pages 2, 19, 23, 52, 56

The beach as a battleground

It was a wonderful day for the beach. The sun sparkled on the Mediterranean and holidaymakers lazed on the sand and larked about in the water while the energetic played volleyball. Then a footballer scored a goal on television and all hell broke loose..... Page 3

Blair backs euro

Tony Blair opened up a new front in his efforts to swing public support behind the single currency by suggesting that a strong euro could act as a bulwark against the crisis in Asia..... Page 1, 13

Sir Stephen resigns

The new pressure on Oxford colleges to secure their financial future is said to be behind the resignation of Sir Stephen Timmins as Principal of St Edmund Hall..... Page 4

Dancers revolt

Dancers at the Royal Ballet are poised to emulate BBC technicians and London Underground workers and resort to industrial action this summer because of a proposed pay freeze..... Page 5

Death cell verdict

The parents of a prisoner killed by a schizophrenic cellmate are to seek compensation after an inquiry blamed the authorities for multiple failures..... Page 6

Patron offers comfort

Frances Shand Kydd, patron of the Mallaig Fishermen's Association, spent several hours with relatives of five crew lost in the North Sea..... Page 8

Smuggler jailed

Hannah Thompson, a talented violinist, was jailed for four years for smuggling cocaine worth nearly £500,000 from Brazil into Britain..... Page 9

Ulster manoeuvres

The cross-party consensus on Ulster Ireland is close to collapse after Mo Mowlam refused to meet a Tory demand for a link between disarmament and the release of prisoners..... Page 10

City celebrates Joyce

Rome today begins two weeks of celebration devoted to James Joyce, even though the writer spent just seven months in the Eternal City as a bank clerk and hated it..... Page 14

Willy Brandt accused

Willy Brandt, a former German Chancellor who was the architect of Ostpolitik, was also a KGB agent, according to information provided by a Russian defector..... Page 14

Nato demonstration

Eighty Nato aircraft flew along the Yugoslav border in a demonstration of air power intended to curb Serbian aggression in Kosovo..... Page 15

The President's man

James Carville, President Clinton's former campaign manager, is amassing a dossier of material to discredit enemies of the White House..... Page 16

Opportunity for Iraq

Eight years of sanctions against Iraq could end within months if Baghdad honours a new deal on resolving the last disarmament issues..... Page 17



The Queen and the Duke of Edinburgh during the Order of the Garter procession at Windsor Castle yesterday

BUSINESS

Bank windfalls: Goldman Sachs, the US investment bank, has agreed to end 130 years of partnership in favour of a \$30 billion stock market flotation that will raise millions for its partners..... Page 29

Pounded by sterling

Will cut around 12,500 jobs over the next three years in an attempt to restore competitiveness after the strength of the pound cut profits by £500 million..... Page 29

Mirror bid off

Mirror Group shares fell more than 10 per cent after Axel Springer, the German publisher, said it would not bid for the company..... Page 29

Markets: The FTSE 100 fell 54.1 to 5757.7

The pound rose 41 cents to \$1.6351 and 2.23 pennig to DM2.9648..... Page 32

SPORT

World Cup: Romania beat Colombia 1-0, with a superb solo goal by Adrian Ilie just before half-time. In the second match in England's group..... Page 53

Tennis: Pete Sampras and Martina Hingis are the top seeds for the Wimbledon singles championship

Greg Rusedski is seeded No 4 and Tim Henman No 12 in the men's event..... Page 49

Cricket: Surrey stay on top of the Britannic Assurance county championship

24 points clear, even though rain thwarted their efforts to beat Essex..... Page 48

Rugby union: Jonah Lomu has convinced John Hart, the New Zealand coach, of his fitness and will play against England in the first Test on Saturday..... Page 45

ARTS

Moving house: The city of Berlin's collection of great Old Masters has at last been reunited in a new museum custom-built for the paintings..... Page 20

Jazz veteran: Bobby Wellins, the Scottish tenor man, delivers a seasoned display of modern jazz at Chelsea's 606 Club..... Page 20

New-style circus: France's Que-Cir-Que are the latest circus sensation to conquer the world, and they have done it without animals, sawdust, glitter or even a ringmaster..... Page 21

Good start: The Aldeburgh Festival opened in style this year with a community event in which fragments of Benjamin Britten's Sea Interludes competed with the roar of the North Sea..... Page 21

FEATURES

Coping with cancer: Clive Rostin found that a spiritual healer helped him to cope with cancer and the death of his wife..... Page 18

Girth control: A striking feature of rioting football fans is their beer bellies

Dr Thomas Stuttaford advises what can be done..... Page 18

Irony: Men are congenitally incapable of tasks such as ironing, says Grace Bradberry, but at least one man begs to differ..... Page 19

LAW

De facto dads: Fatherhood does not automatically confer rights of parenthood on men. A family law professor highlights a legal failing..... Page 37

YOUR OWN BUSINESS

Franchising: As the franchise exhibitions continue, Rodney Hobson takes a close look at the business..... Page 27

THE PAPERS

The opening of the World Cup in France was just the prelude to a fiercer battle — the boot war between Adidas and Nike, the world's largest sportswear manufacturers. Surely it cannot be long before giant companies control the best teams and stage their own tournaments. Football aficionados lament the growing trend towards exhibition matches staged for the benefit of big business rather than competitive sport..... Page 27

FOOTBALL HOOLIGANS: evolution of theatre, television, documentaries, healthcare..... Page 23



TOMORROW

IN THE TIMES

PEOPLE & PROPERTY: Lili Maltese, Paula Yates, Jade Jagger... who else is moving to London's trendiest area?

INTERFACE: Meet me at the virtual cafe: the people who can make Marilyn live

Church introduces exorcism prayers

Prayers for exorcism and healing are to be introduced into the Church of England's liturgy. The charismatic-evangelical revival has led to wide use of healing services. Church authorities are anxious to bring them within the authorised liturgical framework. A new liturgy of "wholeness and healing" will be debated next month..... Page 1

THE TIMES CROSSWORD NO 20,819

Crossword puzzle grid with numbers 1-25 indicating starting positions for clues.

- ACROSS: 1 In which, admitted by payment, you can see most of matinee, possibly (12). 3 Spreads out coat, left in sun, stupidly (7). 9 Reveals old puzzles right away (7). 11 Live broadcast seen by viewer as source of harm (4,3). 12 As usual, beautiful woman cut social climber (7). 13 Verbally summon spy (5). 14 Bedtime reading? (4,5). 16 Fair maiden nobles had ruined (3,6). 19 Gaudy bird going round sharp bends (5). 21 Port used by Ankara, chiefly (7). 23 Highly unusual black or blue on green surface? (7).

Answers to crossword puzzle: ACROSS: 1 CLOVE, 3 AFFECTED, 9 PUPPET, 11 BROADCAST, 12 BEAUTIFUL, 13 SUMMON, 14 BEDTIME, 16 FAIRMAID, 19 GAUDY, 21 PORT, 23 UNUSUAL.

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AA Car reports by fax

0236 416 399. You may want to see your handbook. AA members can call for free.

HIGHEST & LOWEST

Yesterday's highest and lowest temperatures. London 16.0°C, highest 18.0°C, lowest 12.0°C.

FORECAST

General: England and Wales will have another relatively cool and unsettled day with showers, some heavy with risk of thunder, in many places. Southern and southwestern regions may have the best of the sunny intervals.

London, SE England, Central S

England: sunny spells and scattered heavy showers. Light to moderate W or NW wind. Max 16C (61F).

E Anglia, E Midlands, E England, Central N, NE England, Borders

limited sunny spells and a high chance of showers. Cool N to NW wind. Max 16C (61F).

N Wales, NW England, Lake District, Isle of Man, SW Scotland

cool with showers and sunny intervals. Light NW wind. Max 16C (61F).

Edinburgh & Dundee, Aberdeen, Moray Firth, NE Scotland

cloudy and cool with occasional showers, but some sunshine will break through, especially in north east. Light N wind. Max 16C (61F).

Glasgow, Central Highlands, Argyll, NW Scotland, Orkney, Shetland

sunny spells and showers. Light and variable wind. Max 17C (63F).

N Ireland: sunny spells, rain later

Light winds. Max 17C (63F).

Outlook: tomorrow will be unsettled again with rain spreading from the west, although the far north and extreme south-east may stay dry

Rain will linger across central Britain on Thursday, but sunnier and much warmer weather will spread from the south towards the weekend.

Pollen forecast: low - Scotland, Northern Ireland; moderate - NW, NE, N Wales, London; moderate to high - SW, SE, Cent S England, S Wales, Midlands, East Anglia

Table with columns for location, sun, rain, cloud, max, min. Includes locations like Aberdeen, Aberdeen, Aberdeen, Aberdeen, Aberdeen.

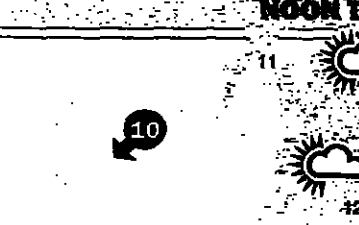
AROUND BRITAIN YESTERDAY

Table showing weather conditions around Britain yesterday, including sun, rain, cloud, max, min for various locations.

ABROAD

Table showing weather conditions abroad, including sun, rain, cloud, max, min for various international locations.

NOON TODAY



Changes to chart from noon: low A moves NE and deepens, low F lingers with little central pressure change; low S loses identity, highs P and M merge and continue moving slowly

HIGH TIDES

Table showing high tide times for various locations in the UK.

TODAY

Table showing tide times for today for various locations.

HOURS OF DARKNESS

Table showing hours of darkness for various locations.

LAST QUARTER TOMORROW

Table showing moon set and rise times for tomorrow.

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TV LISTINGS

Preview: Lee Hall's acclaimed radio play transfers to the screen. Spoonface Steinberg (BBC2, 9.50pm). Review: Joe Joseph follows John Diamond's brave battle with cancer..... Pages 54, 55

OPINION

Two faces of Blair

The Prime Minister is not only misleading in his economic he is playing a dangerous game of politics..... Page 23

Winging it

The Nato exercise, "Determined Falcon" is a modest determination of resolve..... Page 23

Sunshine kick-off

England's victory in their first match of the World Cup was one of those rare events that excite whole nation..... Page 23

LIBBY PURVES

It could be that, by this time next year, we will have lost the age-old liberty of the Briton to put to sea on any plank, in any state, and take responsibility under God for our survival. Does this matter? I think so..... Page 22

LARRY WHITTY

Labour was elected to clean up politics after the years of Tory sleaze. That is why Tony Blair speedily asked the Neill committee to examine the funding of political parties..... Page 22

MICHAEL GOVE

The Chancellor won golden opinions for his rectitude in handling the public finances. But far from exercising a tight control on government spending, he is letting it grow at the fastest rate since the Sixties..... Page 22

PETER RIDDELL

The Tories and Labour not only spent record amounts centrally but also raised much greater proportions of this money from wealthy individuals..... Page 10

ERIC TABARLY, French yachtsman; Eric Hinchcliffe, nuclear production scientist; Mickey Bickford Smith, former Senior Master of the Queen's Bench Division of the High Court..... Page 25

FOOTBALL HOOLIGANS: evolution of theatre, television, documentaries, healthcare..... Page 23

INSIDE SECTION 2 TODAY BUSINESS EDITORIAL

Gold for float

GOLDMAN SACHS'S executive committee has awarded itself the biggest dividend in Wall Street history. It is declaring a unanimous dividend of \$4 billion to be paid to shareholders on July 15. Goldman has 2,500 employees in Europe, most of whom work in the London head office. Among the Londoners is chief economist...

INTERNATIONAL COVER

WORLD markets took another battering yesterday as the yen continued to fall, threatening to deepen the economic crisis in Asia. As soon as Wall Street opened, the Dow Jones industrial average slumped by more than 100 points. A flight to quality assets as investors continued to flee from Far Eastern markets sent the yield on the Treasury long bond to an all-time low of 5.62 per cent while the yen fell to another eight-year low of ¥146.55 against the dollar. Sterling jumped more than two pence to a high of £0.673, also on a safe haven argument. The pound was also bolstered after Deane Julius, the only member of the Bank of England Monetary Policy Committee who has voted for a cut in interest rates, said that another rate rise may be needed. At the close, the pound's effective index against a basket of currencies had jumped to 105.7 from 104.9 on Friday. On the Stock Exchange, the FTSE 100 index recovered from a loss of more than 100...

generally unless



# THE TIMES

# 2

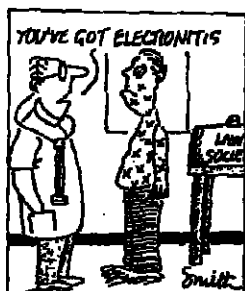
INSIDE SECTION

# 2 TODAY



## ECONOMY

Anatole Kaletsky on why Japan is key to Far East recovery  
PAGE 31



## LAW

Squabbles again as the society holds elections  
PAGES 37-41



## SPORT

Seedings give Henman boost for Wimbledon  
PAGES 45-56

TELEVISION AND RADIO PAGES 54, 55

BUSINESS EDITOR Patience Wheatcroft

TUESDAY JUNE 16 1998

## Float agreed as chiefs secure record Wall St bonus

# Goldman set for \$30bn float bonanza

FROM OLIVER AUGUST IN NEW YORK

GOLDMAN SACHS'S executive committee has awarded itself the biggest bonus in Wall Street history by declaring unanimous support for a plan to float the investment bank. The six committee members are likely to own shares worth around \$4 billion (£1.23 billion) in total.

Jon Corzine, the co-executive chairman, will own a stake believed to be worth up to \$1 billion following the floatation planned for the autumn.

Despite the sharp fall in share prices on Wall Street in recent days, the 200 Goldman partners agreed to go public at the weekend, handing even junior partners \$50 million in shares. Initially, Goldman will sell between 10 per cent and 15 per cent of the company.

Partners will share the windfall with the 11,000 Goldman Sachs employees who will be given smaller stakes. Goldman executives feared the dissolution of the partnership could trigger a mass staff exodus.

Goldman has 2,500 employees in Europe, most of whom work in the London head offices. Among the London partners is chief economist

Gavyn Davies, who could be in line for shares worth up to £50 million.

According to a statement released yesterday, support for the floatation plan was "overwhelming" but the decision will not be final until a formal vote on a prospectus next month. Ahead of the meeting, a number of partners, including two executive committee members, had voiced opposition to the plan.

Mr Corzine and Henry Paulson, the co-executive chairman, said: "This decision was reached after a lengthy, open and intense dialogue. Our culture of collaboration and teamwork, which has been inextricably linked to the firm's success, will continue to flourish in the new structure, reinforced by the manner in which we implement our plan."

The top executives hinted the main reason for going public was to be able to make large acquisitions by swapping shares.

The bank has not released any details of how large the employee stakes will be. All of the payouts will be in the form of shares that can only be resold at a later date to prevent employees from leaving. But employees may nevertheless enjoy the fruits of the floatation

by borrowing money and pledging the shares as collateral.

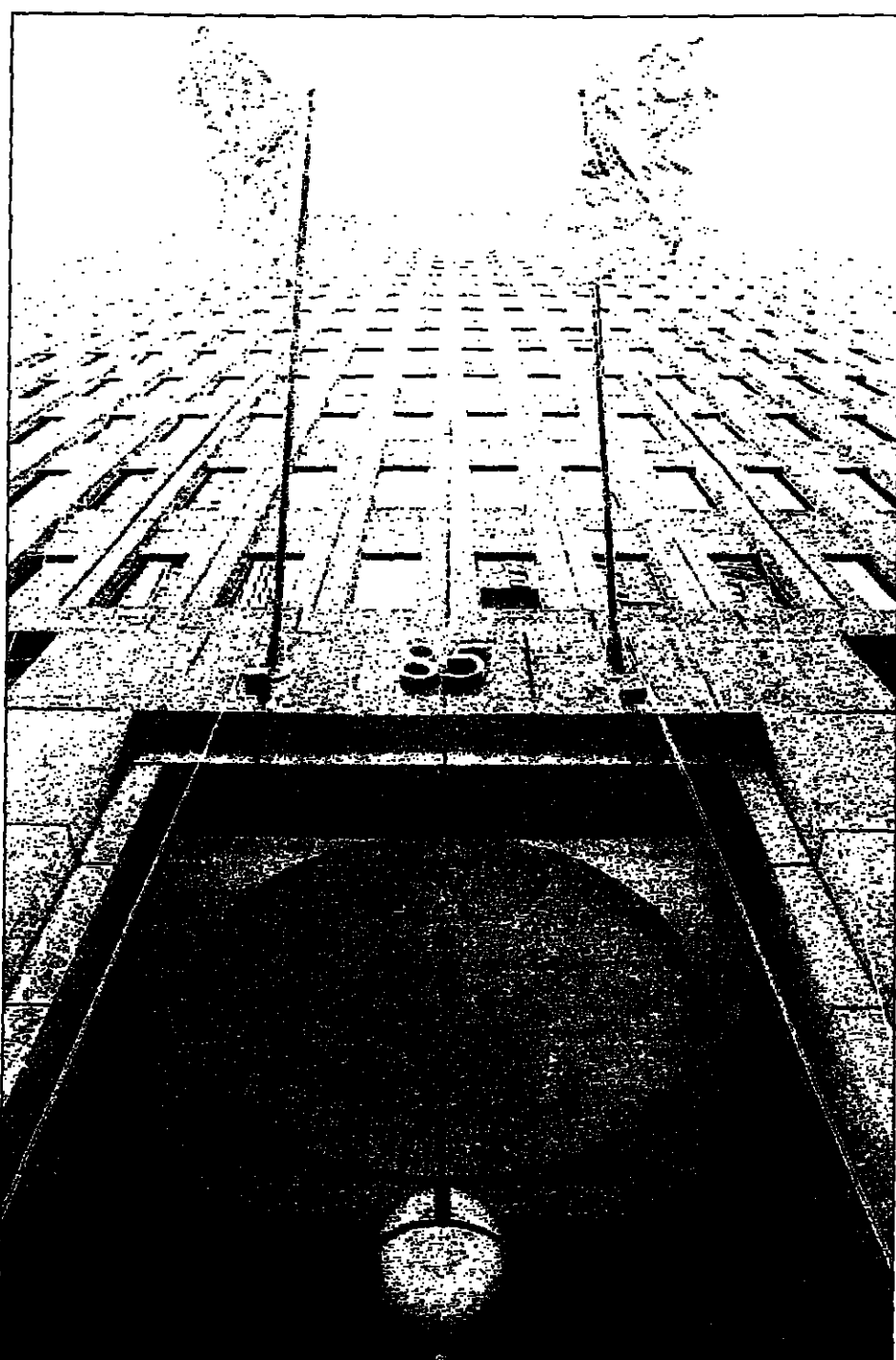
The floatation date is expected to be set for September or, if there are delays, October. Goldman executives decided that the summer months when Wall Street is deserted were the wrong time to attempt what could be America's biggest-ever initial public offering.

The executive committee decided to peg the floatation at 10 per cent to 15 per cent of the company's equity to retain control over the business. John Thain and John Thornton, the heirs apparent who sit on the committee and spoke out against a floatation, had been worried about being at the mercy of outside shareholders.

But Wall Street analysts at Goldman Sachs's rivals expect the bank to float a second slice of equity in the near future if the initial offering is a success.

Another reason to restrict the initial offering to a maximum of 15 per cent is to deter rivals staging a takeover attempt. Goldman is heading for another record profit this year. In the first half of 1998, the bank has already reaped profits of \$2 billion.

Commentary, page 31



High and dry: Goldman Sachs's New York headquarters on Broad Street

## Partners ponder life with a golden egg

By ANNE ASHWORTH

THE partial floatation of Goldman Sachs will deliver to its partners their reward for a life of devotion to the investment bank and chronic indigestion from a diet of airline food.

John Whiting of the accountants Price Waterhouse said: "These golden eggs are being hatched into a reasonably friendly tax regime."

Those UK partners who sell shares will face a 40 per cent capital gains tax bill on the increase in their value. However, Gavyn Davies, Goldman's chief economist, a man close to the Chancellor, will doubtless inform his colleagues of Gordon Brown's new CGT tapering rules which, in the future, will allow the rate to drop to 24 per cent for assets held for 10 years.

As the average Goldman father has not been around much for his children, he will, by way of compensation, take care to minimise the inheritance tax they will pay at his death.

John Battersby, tax partner at the accountants KPMG, suggests that partners should set up trusts and take advantage of the potentially exempt transfer concessions that allow gifts to be tax-free, provided the donor survives for seven years.

Pre-nuptial agreements, likely soon to become legally binding and another ploy to safeguard wealth, will be a must for single Goldman people contemplating marriage.

## BUSINESS TODAY

STOCK MARKET INDICES

FTSE 100	5715.7	(-54.1)
Yield	2.88%	
FTSE All share	2730.58	(-30.73)
Nikkei	14825.17	(-107.18)
New York		
Dow Jones	8741.77	(-53.17)*
S&P Composite	1069.88	(-8.96)*

US RATE

Federal Funds	5.4%	(5.1%)
Long Bond	107 1/2%	(108 1/2%)
Yield	5.62%	(5.97%)

LONDON MONEY

3-mth Interbank	7 1/2%	(7%)
Life long gilt future (5ep)	110.57	(110.54)

STERLING

New York		
\$	1.6315*	(1.6335)
London		
DM	1.6351	(1.6317)
DM	2.9550	(2.9434)
FF	9.9402	(9.9701)
SFF	2.4692	(2.4402)
Yen	148.25	(148.25)
S Index	105.7	(104.9)

DOLLAR

London		
\$	1.3135*	(1.3045)
FF	6.0805*	(6.0515)
SFF	1.5092*	(1.4875)
Yen	148.25	(148.25)
S Index	114.6	(113.7)

Tokyo close Yen 148.42

NORTH SEA OIL

Brent 15-day (Aug)	\$12.80	(\$13.25)
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GOLD

London close	\$285.25	(\$286.05)
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\* denotes midday trading price

## Goethals resigns at SB after dispute

By PAUL DURMAN

THE head of SmithKline Beecham's manufacturing operations has resigned abruptly after a fierce disagreement about a proposed reorganisation.

Ignace Goethals, president of worldwide supply operations, left his job on Friday after failing to persuade Jean-Pierre Garnier, SB's chief operating officer, to implement plans drawn up with the help of Andersen Consulting. Mr Goethals's departure follows a board presentation that is said to have gone "disastrously wrong".

SB would not be drawn on details of the dispute, saying it has still to tell staff of the proposed reorganisation. Mr Goethals, who was based in Philadelphia, has been replaced by Peter Jensen, previously chairman of the consumer healthcare business in Europe. "Peter will do a full review of the whole project," a spokeswoman said.

The pharmaceuticals group has spent millions of pounds with Andersen Consulting to reduce its manufacturing plants and to improve the efficiency of its distribution system. Under the proposal backed by Mr Goethals, it is said Andersen would have had a key role in managing the supply chain.

SB yesterday announced encouraging results from an early stage study on rosiglitazone, suggesting the compound protects the insulin-producing cells that become damaged in the most common form of diabetes.

## International markets take cover as yen's fall continues

By JANET BUSH, ROBERT WHYMANT AND MICHAEL MACKAY

WORLD markets took another battering yesterday as the yen continued to fall, threatening to deepen the economic crisis in Asia.

As soon as Wall Street opened, the Dow Jones industrial average slumped by more than 100 points. A flight to quality assets as investors continued to flee from Far Eastern markets sent the yield on the Treasury long bond to an all-time low of 5.62 per cent while the yen fell to another eight-year low of ¥146.55 against the dollar.

Sterling jumped more than two pence to a high of DM2.9678, also on a safe haven argument. The pound was also bolstered after DeAnne Julius, the only member of the Bank of England Monetary Policy Committee who has voted for a cut in interest rates, said that another rate rise may be needed. At the close, the pound's effective index against a basket of currencies had jumped to 104.9 on Friday.

On the Stock Exchange, the FTSE 100 index recovered from a loss of more than 100

points to close 54.1 points lower at 5,715.7. At its lows of the session, it had lost 341 points or 5.7 per cent from last Wednesday's close, largely reflecting growing fears about the crisis in Asia.

In the Far East, the Nikkei 225 index reacted for the first time to Friday's news that Japan has officially entered recession. The index fell nearly 200 points to 14,825 — the

first time it has closed below 15,000 since mid-January.

In Hong Kong, shares plunged another 5.7 per cent, closing 452 points lower at 7,462. A year ago the Hang Seng index stood at 14,112. The latest losses coincided with news that Hong Kong unemployment has risen to its highest level for 15 years.

Asian leaders reiterated their pleas to Japan to act to

stop the yen falling. Tung Chee Hwa, Chief Executive of Hong Kong, said there was little regional leaders could do about financial turmoil in their countries. He said: "We can only appeal to the Japanese to do whatever is needed to produce a stable yen."

Dealers in Tokyo said there was little incentive to hold on to the yen with Japan technically in a full-blown recession.

Despite Friday's figures, the Japanese Government is refusing to use the word "recession", preferring "severe stagnation". This has raised suspicions that it is downplaying the severity of the crisis ahead of next month's Upper House election.

Even worse for confidence in Japan was news that Japan's current account surplus in April showed a much smaller rise than expected. The weakness of the yen is boosting exports to America and Europe but, overall, exports were still lower because ailing Asian countries were buying less from Japan.

Economic view, page 33

## FACTORY PAY GROWTH SLOWS

THE rate of growth of pay settlements in manufacturing industry fell slightly in the three months to May, encouraging critics of the Monetary Policy Committee's decision earlier this month to raise interest rates largely because of fears about wage inflation (Janet Bush writes).

The latest Confederation of British Industry Pay Data-bank Survey showed settlements averaged 3.5 per cent in the three months to May, down on the 3.7 per cent recorded in the three months

ending February. However, pay awards in service industries averaged 4.3 per cent in the three months to May, up slightly from 4.2 per cent in the three months to February.

The CBI's figures are not directly comparable with the official earnings data that so worried the MPC because they do not include bonuses unless bonus schemes are made an integral part of pay settlements. Annual growth in average earnings jumped to 4.9 per cent in February from 4.6 per cent in January.

## Springer abandons Mirror bid

By RICHARD MILES

SHARES in the Mirror Group fell 2 1/2 p to 208 1/2 p yesterday, after Axel Springer, the German publisher, said it would not mount a bid for the company.

Springer declined to state its reasons, but sources suggested the sticking point had been price. The sudden departure last week of Kelvin MacKenzie, the Mirror Group's deputy chief executive, may have also contributed to the decision.

City analysts said Springer's withdrawal may open the door to other suitors.

Warburg Pincus, the US fund manager, and Civen, the UK management buyout specialist, are believed to have submitted proposals to Société Générale, the Mirror's advisers.

Mirror may also restart talks with Trinity International, the regional newspaper publisher, about a possible merger. The talks were suspended when Springer announced its interest on May 22.

Mirror shares had risen to 250p on takeover talk.

Commentary, page 31

## British Steel calls for rethink on economic policy

By CHRISTINE BUCKLEY, INDUSTRIAL CORRESPONDENT

BRITISH STEEL yesterday hit out at the Government's economic policies as it took a £500 million blow from the strong pound and warned of swingeing job cuts.

Sir Brian Moffat, chairman and chief executive, said the Treasury had ignored manufacturing as it fell into recession. "It is no use the Treasury trying to ignore the situation and just looking at the Bank the whole time," he said.

Sir Brian called for more to be done with fiscal policy to curb growth in the service sector while ensuring that manufacturing did not go to the wall. He said the Government had "done nothing to stimulate investment".

The company would not put a figure on job losses but said that a radical manpower reduction was being implemented "as fast as we can". Some estimates predict 12,500 job cuts by 2001 with middle management hardest hit.

While sterling has weakened slightly recently, Steel gave warning that prospects remained grim in Asia where

a yearly market for one million tonnes had been halved.

The company produced better than expected pre-tax profits for the year to March 31 at £315 million, down from last year's £451 million. Earnings per share fell 24 per cent to 11.44p. The dividend was maintained at 10p with a final payment of 7p.

Commentary, page 31  
Tempus, page 32



Moffat: angry with Treasury

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### Third care homes buy for NHP

Nursing Home Properties, a property investment group that specialises in the purchase and leaseback of nursing homes, has acquired 24 care homes for £44 million — its third substantial acquisition in the past two months.

The properties have been acquired from Ultima Holdings. Yesterday's deal adds 1,204 beds, taking NHP's total portfolio to 170 homes with more than 9,200 beds at a total cost of about £317 million.

### BP sell-off

BP is selling its chemical distribution activities to Internatio-Mueller, the Dutch transport and trading company. The price was not disclosed, but the businesses being sold have an aggregate annual turnover of about £96 million.

### Police contract

Capita, the professional support services company, has won a £29 million contract to supply a combined payroll and pensions service for the Metropolitan Police in London.

# Arriva to dispose of car leasing division

By FRASER NELSON

ARRIVA, the transport group built up by Sir Tom Cowie, is to sell off its car leasing division, the part of the business that was considered to be the backbone of the Sunderland-based firm.

The decision came as Arriva admitted that it has signed too many cheap rental contracts at the interleasing subsidiary. The troublesome contracts are expected to mean Arriva will report lower profits this year.

Michael Gwilt, Arriva's managing director who was to succeed Gordon Hodgson as chief executive and who headed interleasing, also resigned yesterday. The company's shares fell 16 per cent yesterday — or 70p — to 372p.

Arriva said the cost of the more competitive leasing contracts had combined with a downturn in prices fetched for the used cars and will wipe £7.5 million from this year's profits.

Mr Hodgson said: "This is all attributable to the downturn in the market. We have stiff competitive pressures which have squeezed margins — but the market has now become difficult for everyone so the pressure may ease."

Although the bus operating division is going well, he said, the motor dealerships are also having difficulty selling ex-rental cars.

The profits warning, its second since April, comes 14 months after it dismissed Neil



Sir James McKinnon, left, will seek a chief executive to succeed Gordon Hodgson

Pykett as head of its leasing division for "gross misconduct". The company later agreed to pay him £100,000 compensation.

Sir Tom, who no longer works for the firm, said yesterday that the motor dealerships should be inseparable from the car leasing division, as the showrooms gave an easy way for ex-leasing cars to be sold. He said: "Logic has gone out of the window. If anyone should resign, it should be Gordon

Hodgson — he is the one who has been there through all of this. They sacked Neil Pykett not because he was a poor manager, but because of personality differences — and now they are wondering what has gone wrong."

Mr Hodgson said he had no regrets about Mr Pykett's departure, and added that many of the problem leasing contracts were agreed during Mr Pykett's tenure.

Sir James McKinnon, chair-

man, will now search for a new chief executive. Mr Hodgson, 67, said that he may well take a part-time role instead of moving up to become executive chairman as planned.

Rothschilds, the merchant bank, will decide in the next two months whether to seek a trade sale for the leasing division, which would be worth around £350 million, or attempt a separate flotation.

Tempus, page 32

### Eastern in outdoor pursuit for customers

By CHRISTINE BUCKLEY INDUSTRIAL CORRESPONDENT

RAMBLERS, walkers and climbers, beware — you are being stalked by electricity salespeople.

The great outdoors may be the chance to escape from the rat race. But now Eastern Group believes it is also the perfect forum in which to commune with their sales representatives.

The group has signed a deal with the Youth Hostels Association by which members get cheaper electricity and gas and the charity gets a donation.

Jim Keohane, head of energy retail, says: "YHA members make savings on their energy bills and the association secures extra income to help in its work, helping to foster healthy outdoor pursuits and a love of the countryside."

Eastern is not revealing how much will be donated to the association for each healthy new customer because it is currently locked in negotiations with other charities to strike similar deals.

The company is positioning itself as the feel-good electricity supplier — buy from it and support a good cause. Consumers with a conscience can already support ecologically sound power projects through Eastern or sign up to support the coal industry in a joint deal with RJB Mining.

### Nortel lines up \$9bn Bay Networks deal

NORTHERN TELECOM, the Canadian telephone equipment company, yesterday agreed to buy Bay Networks, a US maker of networking hardware, for US\$9.1 billion (£5.54 billion) to participate in the spread of Internet link-ups. Nortel, which is controlled by BCE, the Canadian phone company, is paying a 35 per cent premium for Bay Networks after weeks of speculation surrounding the deal. America's second-biggest phone equipment maker is trying to build an integrated Internet hardware business.

John Roth, the Nortel chief executive, said: "With this transaction, Nortel and Bay Networks will effectively break out and redefine the centre of the information industry — the unoccupied space where data and voice networks, driven by the Internet, are expected to converge."

### Bright start for AMP

ABOUT 180,000 British shareholders in Australian Mutual Provident (AMP) celebrated as the financial group's shares soared to a hefty premium on their debut at the Sydney stock exchange. The shares, with a base price of A\$16 (about 53p), briefly hit a high of A\$45 as trading got under way before settling at about A\$24. That values the business in excess of A\$23 billion, compared with the original valuation of A\$17 billion. UK shareholders received an average of 650 shares in a demutualisation windfall.

### London Scottish ahead

LONDON SCOTTISH BANK, the debt collection and consumer credit company, lifted pre-tax profits 9.9 per cent to £4.7 million in the half year to April 28, after a period of restructuring. The company, which reorganised its management and brought in systems to control and recover bad debts, said profits at its consumer credit and debt collection businesses had improved. It had taken on 9,000 loan account customers, boosting the number to 152,000, during the period. Earnings were 2.8p a share (2.6p). The interim dividend is 1.07p (0.975p).

### Record loss at Saltire

THE strength of sterling, a sluggish mail-order market and depressed economic conditions in Romania have been blamed by Saltire, the mini-conglomerate turned electronics distribution group, for record year-end losses. The company, which six months ago said its results would be below market expectations, reported a pre-tax loss of £5.3 million (£3.7 million profit) for the year to December 27. The loss per share was 30.6p (1.2p loss). There is no dividend (1.2p). Tom Long, chairman, said: "The group continues to lack resilience to adverse trading conditions."

### Expansion for Tamaris

TAMARIS, the nursing homes operator, expects to increase its number of beds from 2,000 to 5,000 this year. The group, based in Berkshire, bought 12 nursing homes from Westminster Healthcare and formed a joint venture with Principal Healthcare Finance to boost bed numbers. Pre-tax profits in the year to March 31 fell from £2.6 million to £2.1 million but turnover increased 90 per cent from £19.1 million to £36.3 million. Earnings were 0.19p a share (0.13p). Total dividend is up 8.5 per cent to 0.08815p, with a 0.062229p final.

### TOURIST RATES

Bank	Buy	Sell
Australia \$	2.88	2.70
Austria Sch	21.84	21.18
Belgium F	64.26	59.30
Canada C	2.51	2.34
Cyprus Cyp	0.312	0.340
Denmark Kr	11.87	10.98
Finland Mk	9.25	8.80
France F	10.40	9.82
Germany Dm	3.18	2.88
Greece Dr	331	482
Hong Kong \$	13.48	12.29
Iceland	130	110
Ireland P	1.28	1.24
Israel Shk	6.41	5.78
Italy Lit	3093	2856
Japan Yen	283.76	268.23
Malta	0.821	0.622
Netherlands Gld	3.529	3.234
New Zealand \$	3.43	3.19
Norway Kr	13.18	12.24
Portugal Esc	315.71	282.08
S Africa Rd	9.48	8.52
Spain Pta	262.83	244.14
Sweden Kr	14.54	13.24
Switzerland Fr	2.82	2.40
Turkey Lira	43981	41923
USA \$	1.742	1.582

Rates for small denomination banknotes only as supplied by Barclays Bank. Different rates apply to traveller's cheques. Rates as at close of trading yesterday.

## Queens Moat auditing under scrutiny

By DOMINIC WALSH

THE near-collapse of Queens Moat Houses (QMH), the hotels group, in 1993 is to be investigated by the accountancy profession's disciplinary scheme.

Chris Dickson, the former Serious Fraud Office lawyer who is executive counsel of the accountants' Joint Disciplinary Scheme, is to investigate both the company's controversial accounting policies and shares dealings by Martin Marcus, a qualified accountant and former

deputy chairman of QMH. Mr Dickson will then decide whether the case should be heard by an independent tribunal.

The case will revolve around "the accounting policies adopted by the company and the extent to which the auditors waded them through".

The company's then auditors, Bird Luckin, will come under scrutiny, with Maurice Hart, a partner of the firm and a non-executive director of QMH, expected to be central to the investigation.

QMH's accounting policies at the start of the 1990s have been called into question, in particular, an incentive scheme for managers which allegedly enabled future profits to be brought forward.

Similarly, the group allegedly had not been charging depreciation on its portfolio of hotels, further inflating profits.

However, a statement from the Joint Disciplinary Scheme said the referral of the matter to it by the Institute of Chartered Accountants in England and Wales "should not be construed as

meaning that a view has been formed that a prima facie case exists against any member or member firm".

The company is currently embroiled in a long-running trial at the High Court involving former directors. The four men, including John Baird, QMH's founder and former chairman, are claiming wrongful dismissal.

The hearing, which started last October, is scheduled to conclude some time next month, although a decision is not expected until much later this year.





Image Communication







Same here.

## Aficio

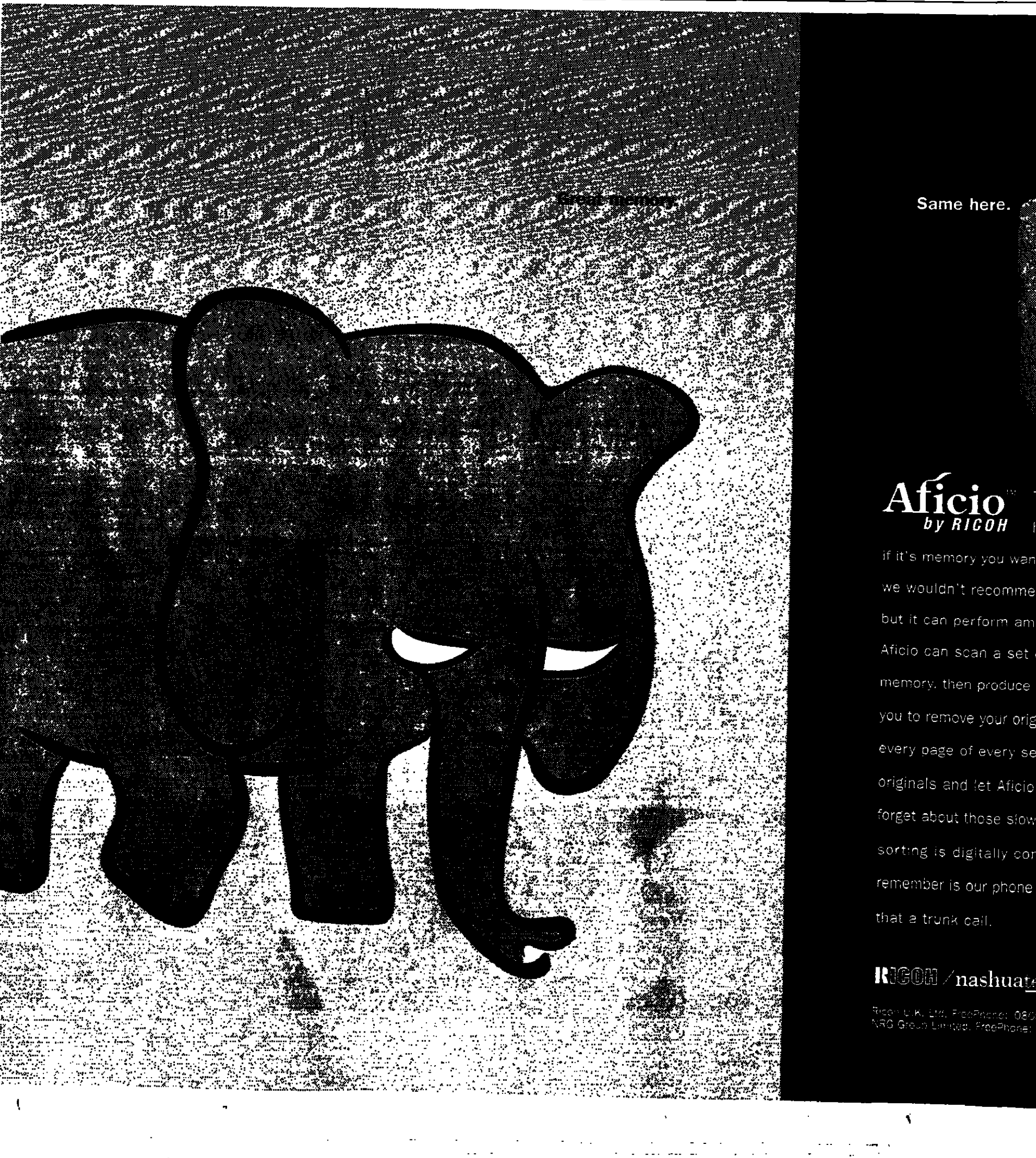
by RICOH

To tell the truth, elephants don't really have great memories. It's a myth. But if it's memory you want, you want the Aficio digital. Although we wouldn't recommend you try to ride or feed it peanuts, but it can perform amazing tricks of its own. For instance, Aficio can scan a set of documents and store them in its memory, then produce complete sets, one at a time, leaving you to remove your originals. You don't even have to wait for every page of every set to be completed. Simply grab your originals and let Aficio finish the job for you. You can also forget about those slow noisy sorting trays, because Aficio's sorting is digitally controlled. In fact, all you do have to remember is our phone number. You may even want to make that a trunk call.

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THE TIMES

# AI

I mean it in a possible when that John Diam appears in another night's Inside Story (BBC1). Olivia Lyndoch, who achieved in her documentary what used to be the province of columns in which logging the course of a life, made a very honest and very subtle record of a subject that actually has intrinsic tenderness: as Hurri Tongue-Tied II — 1 Confesses is not a adding to see.

When he started Times about the famous that was chums of the magazine to be deluged with readers' letters that — hey, the

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 5.00am All Over the Show  
 8.20am Kinky  
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# Brazen British Biotech



**COMMENTARY**  
by our City Editor

**B**razen to the last, British Biotech under Keith McCullagh has embarked upon a vindictive legal action against Andrew Millar, the former director of research who has helped to uncover a morass of failings at the drug company. The principal effect of British Biotech's action is to distress Dr Millar's wife and family, worried at the threat of the loss of their home. In resorting to its lawyers, British Biotech conjures up the bullying tactics of its old Oxford neighbour, Robert Maxwell.

The superficial complexities of the British Biotech scandal may mean that bystanders may take the view that the truth about this dispute lies somewhere between the company and its accuser. They would be wrong to do so. Three months after the saga began, the company has yet successfully to contest any point of fact cited by Dr Millar. But for Dr Millar, shareholders would still be ignorant of the management's too frequent displays of poor judgement and misleading the stock market by omission.

To recap: British Biotech clearly knew a cancer drug trial was in difficulties when Dr McCullagh and two other directors sold shares worth £1.35 million. It then misled a Stock Exchange insider dealing inquiry. It hid from UK investors the knowledge that the US Securities and Exchange Commission was investigating what the SEC regarded to be mislead-

ing statements about marimastat, its most important drug. It also hid from investors the grave doubts European regulators harboured about Zacutex, its pancreatic drug. Peter Lewis, the former research and development director, sold more than £1 million of shares last year after Zacutex's problems became apparent to Dr Millar.

But these are not the most important concerns about Biotech. Dr Millar says the trial data shows that Zacutex will not work and that marimastat will not work in pancreatic cancer. His view is supported by independent experts, who also observe that Biotech may be putting patients' lives at risk by continuing to administer marimastat when a rival drug is producing demonstrably better results in pancreatic cancer. Similar ethical concerns surround the company's attempts to restart an earlier cancer trial before it had pinned down what was wrong with its drug, batimastat.

These are only the most glaring deficiencies. In a deeply flawed circular, Biotech has dismissed the concerns as "unfounded" while insisting that Dr McCullagh has acted honourably. To find out how deeply

flawed, investors should speak to former directors such as James Noble, John Gordon, or even, incredibly, Dr Lewis, who has said he agrees with the whole thrust of Dr Millar's critique of Dr McCullagh's "ridiculous arrogant optimism".

Shareholders, who have done precious little to help, should put a stop to this disgraceful episode. Dr McCullagh is supposed to be stepping down but he is still pulling the strings in presentations to the City. He should be forced out at once.

### Working in a Goldmine

**W**hen Jon Corzine and Henry Paulson stood up before the massed ranks of Goldman Sachs partners at the Palisades conference centre at the weekend, they might have been tempted to quote Bernie Cornfeld, the

flamboyant 1970s financier. His catchphrase was: "Do you sincerely want to be rich?" Of course they wanted to be rich. Otherwise they would not have mortgaged their lives to become partners of the most aggressive investment bank on Wall Street (an accolade a bit like the most loutish English football fan).

Mr Corzine looks like ending up nearly \$1 billion richer from this float while others near the top of the Goldmine pile will end up with shares worth \$90 million or more. This would actually not be all that much if you calculated the net present value of a stream of future partnership payouts. However this ignores the fact that a partner giving up \$5 million a year of partnership drawings will have to be re-employed at the going Wall Street rate - which is, say, \$2 million a year. So Goldman partners will be able to have their cake and eat about half of it as well. The longer term effect

of this on Goldman's profits and valuation cannot be good.

This is not the only negative factor hanging over this float. How will Goldman tempt the cream of Wall Street and make them slave like immigrant workers without the prospect of a partnership honeypot some way down the line. Then there is the increasing weakness of Asian markets, which could undermine Goldman's growth prospects and put the skids under Wall Street's great bull run. And there are the natural pressures that occur when an organisation changes. Finally there is the insistence that Goldman partners will retain 85 per cent of the stock after the float. Though this ensures a thin market (which could support the shares in early trading), it will also put off investors worried about buying into a business they cannot influence.

Of course this percentage of freely traded shares will increase

as partners sell out and Goldman uses its equity for acquisitions. That - apart from being sincerely rich - is why Goldman voted to float. Top of the list must be a large fund manager. Maybe Goldman will buy Schroders, a deal which would make Bruno Schroder rich beyond the dreams of even a Goldman partner.

### Axel fails to spring a bid

**T**hey do things a bit differently in Germany. Why else would Axel Springer stalk Mirror Group by announcing its interest in bidding, declining to have any negotiations for a few weeks and then withdrawing just as suddenly as it entered the fray? David Montgomery is apparently irritated by Springer's interlude. He should actually be pleased. While the Germans showed interest, Mirror shares soared to the unheard-of heights of 248p, which indicates the real value of the group more than the 208p they fell to after Springer pulled out.

If Monty is smart, he can use the higher valuation of Mirror as a negotiating point when he

resumes merger talks with Trinity. A few weeks ago Chester's favourite regional publisher was worth nearly as much as Mirror, but recently Mirror has achieved as much as £400 million of headroom. However from a business point of view, there are arguments to say that Mirror is now in a weaker position, given that Kelvin MacKenzie has said he is going to jump ship and bid for Talk Radio. The former Editor of *The Sun* and originator of Topless Darts has gained quite a lot of respect in the industry and the City since he arrived at the Mirror. Without him the management may lack the spark to revitalise its flagging national newspapers. If it can negotiate a merger with Trinity - a deal that is all about economies of scale among regional papers - maybe the Mirror will sell the *The Mirror*. In Axel Springer, it has a ready buyer.

### Pain without gain

**WE** ARE used to exporters moaning about sterling, but British Steel yesterday made an important point. The measures used by the Bank of England to put a brake on service-sector wage increases are merely hurting manufacturers, who have been pretty well-behaved all along, while the culprits are relatively unscathed. The economists worry about overheating, but they are in danger of delivering a full-blown recession.

## Tetley bid predicted as £400m float is called off

By JON ASHWORTH

**T**HE Tetley Group, maker of Tetley tea, has called off next month's £400 million stock market floatation, saying it has decided to pursue "another opportunity".

The move - highly unusual at this late stage - prompted speculation that the floatation process had flushed out a trade buyer. Possible suitors include Nestlé, with whom Tetley has a joint venture in India.

Tetley is jointly advised by SBC Warburg Dillon Read and Cazenove, but neither would comment yesterday.

The company said in a statement: "Against the background of its overriding wish to maximise shareholder value, the board of Tetley has decided to pursue another

opportunity rather than proceed with floatation at this time."

PPM Ventures, which holds 32.2 per cent, said it had "every confidence" in the company's future prospects.

The floatation was set to make multimillionaires of Leon Allen, Tetley's chairman and chief executive, and Roger Price, finance director, who led a £190 million buyout from Allied Domecq in 1995. Together they speak for 8 per cent of the company, worth about £20 million on floatation.

Mr Allen has described the world tea business as being "quite fragmented", and said the industry was ready for consolidation.

Tetley has enjoyed tremendous growth since breaking

away from Allied Domecq. Operating profits have risen from £10.7 million to £41.1 million, and sales now exceed £336 million.

The success of round tea bags, introduced in 1991, has been underpinned by television advertising featuring the Tetley tea folk.

Tetley is Britain's biggest tea supplier, and commands just over a quarter of the UK tea bag market. It competes with Brooke Bond PG Tips, owned by Unilever, and Typhoo, owned by Hillsdown Holdings. Other competing brands include Quickbrew and Lyons.

The decision to abandon the floatation came as a surprise to the investment community. Only two weeks

ago Tetley took about 20 analysts to visit its main factory in Newcastle. Although it gave them no sales data or financial history they were led to expect listing particulars on June 11.

Some analysts speculated that the group must have received a bid. "The process of floatation was always likely to flush out a predator," said one who declined to be named.

Other analysts said the company may also have been unnerved by the imminent £1.7 billion floatation of Coca-Cola Beverages in London next month.

One said: "You have got Coca-Cola Beverages coming and there is only a certain amount of investment around for this sector."

### Expansion in America for Britax

**BRITAX INTERNATIONAL** the engineering group best known for its children's car seats, is expanding in the US with a \$122.2 million (£75 million) acquisition (Adam Jones writes).

Britax is buying Public Safety Equipment (PSE), a privately-owned company that makes sirens, warning lights, beacons and police radar for emergency services vehicles.

PSE has 410 employees and reported a £5.4 million pre-tax profit in 1997 on sales of £40.2 million.

Britax will pay \$117.5 million in cash initially and will pay a further \$4.7 million to management in three years. The deal is funded from multi-currency bank facilities and will be earnings enhancing on completion.

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## Fyffes beats City expectations with 15% increase

By MATTHEW BARBOUR

**FYFFES**, Europe's leading fresh produce company, lifted first-half pre-tax profits 15.4 per cent to Ir£23.3 million (£19.6 million), ahead of City expectations, despite adverse currency movements.

Neil McCann, chairman, said: "This result simply reflects better market conditions for the business compared to the same period last year."

Although currency movements were generally unhelpful on the trading side, with the deutschmark and other European currencies remaining weak against the dollar, the strength of sterling had a positive impact on translation.

Turnover for the period grew 14.6 per cent to Ir£720 million with 30 per cent of that

coming from bananas. Earnings per share improved by 24.3 per cent to Ir4.2p (Ir3.38p). The interim dividend has risen 20 per cent to Ir0.685p a share.

Profits at its Geest joint venture, jointly owned with the Windward Island Banana Development Company, were down on last year, reflecting lower volumes of Windward Island fruit.

David McCann, chief executive and son of Neil McCann, said consumption of fruit and vegetables was rising and the market was much better than 12 months ago when conditions were depressed.

Fyffes has seen profits improve since the second half of last year because of a world-wide recovery in fruit prices.

### Managers in buyout at theme park

**CAMELOT** theme park near Chorley in Lancashire has been bought out by a management team for £14 million (Dominic Walsh writes).

Newly formed Prime Resorts, with £7 million equity backing from Close Investment Management, is acquiring the theme park together with the adjoining 140-room Park Hall Hotel from Granada Entertainments, part of the Granada media empire.

Nick Hall, the former deputy managing director of Granada Entertainments who is leading the deal, said £2 million would be invested over 12 months in the 140 acre site, which is based on the legend of King Arthur and has jousting shows and 100 rides and attractions.

## Wiseman rises to the top with 49% advance to £17m

By MATTHEW BARBOUR

**ROBERT WISEMAN** Dairies showed resilience in a fiercely competitive market to lift full-year pre-tax profits 49 per cent to £17.7 million.

About 75 per cent of Wiseman's milk goes to supermarkets, and the company was upbeat about prospects, despite recent comments from rivals Unigate and Express Dairies bemoaning the low margins involved in supplying multiple retailers.

Wiseman lifted operating margins to 7.1 per cent from 6.6 per cent. Alan Wiseman, chairman, said the 7 per cent margin was a "realistic return for our investment", referring to the company's focus on providing efficient production and distribution facilities.

Tesco has designated Wiseman's Manchester and Scottish processing plants as preferred dairies for its stores in the North of England.

"In terms of efficiency we seem to have some sort of lead, which is very pleasing," said Mr Wiseman.

Earnings per share rose to 14.9p from 10.6p. A final dividend of 2.71p makes a total of 4.03p (3.5p).

Tempus, page 32



Milky way: Alan Wiseman, of Robert Wiseman Dairies

## Rolls-Royce wins £37m engine order

**Rolls-Royce**, the aero-engines manufacturer, has won a £37 million order to supply engines to Corsair, and is poised to announce a £75 million deal with Qantas, according to industry sources.

Corsair is part of Nouvelles Frontières, the largest tour operator in France, and is ordering Trent engines for two Airbus A330-200s. The Qantas order is thought to relate to three 747-400 aircraft and should be confirmed this week.

### Sterling show

**Sterling Industries**, the engineer, raised profits to £12.8 million from £9.4 million in the year to March 31, the sixth consecutive year of profits growth. Most of the increase was made up of a supplementary £3 million dividend from its near 10 per cent stakeholding in Caledonia Investments. Underlying operating profits only edged forward from £7.1m to £7.3m. The full-year dividend rises to 11p from 10p.

### Vita ups stake

**British Vita**, the chemicals group, is paying £39 million to increase its stake in Spartech, its US associate. Spartech makes engineered thermoplastic sheet materials and polymeric compounds. The purchase takes British Vita's holding to 43.5 per cent of the issued common stock. Jim Mercer, chief executive of British Vita, said: "Spartech has an excellent growth and development record with its North America-based businesses." British Vita shares fell 9p to 304p.

### Univak's first

**Univak**, the manufacturer of vacuum equipment for computer chip producers, made pre-tax profits of £60,000 in its first set of results to be published as a public company. No dividend has been paid.

### NFF boosted

**Northumberland Fine Foods**, the maker and distributor of cakes and biscuits, announced pre-tax profits up 24 per cent to £1.4 million. The full-year dividend is 0.3p (0.15p).

# What rate of interest are your savings currently earning?

- (a) A generous 0%
- (b) A massive "I'm going to retire early" 3% (before tax).
- (c) Over 8% and no tax to pay.

Some current accounts pay no interest. Even savings accounts are not much more generous given that you have to pay tax on the interest you earn and you often can't get hold of your money straight away. With a Virgin One account everything from your mortgage to your current account is in one place. You pay your salary in and, if you like, your savings too. Each day you leave your money in the One account every pound is reducing your loan and saving you interest at over 8%. And because it's interest saved rather than earned, you don't pay tax on it. What's more, you can take your cash out whenever you want without having to give any notice.

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Representative only of Virgin Direct Personal Finance Service Ltd, which is regulated by the Personal Investment Authority for life insurance, pensions and unit trusts and represents only the Virgin Direct Marketing Group. Your Virgin One account must be repaid by the time you retire. YOUR HOME IS AT RISK. FICO KEEP UP REPAYMENTS ON A MORTGAGE OR OTHER LOAN SECURED ON IT. You can phone for further information or a written quotation at any time. You must have life insurance. The actual rate of interest you pay will depend on the amount of money you want to borrow in relation to the value of your home. For example, if you wanted to borrow £75,000 secured against a home worth £100,000, you would pay 8.2%. The rate is variable and correct at this example, over 25 years an existing customer remortgaging a freehold home in England would pay 8.5% APR. This APR includes land registry solicitors' and valuer's fees which you will have to pay. In this example these fees would amount to £407. You will also have to pay your own solicitor calculating the APR we have assumed you will have to pay your solicitor £75. For your security all calls are recorded and randomly monitored. account is not currently available in Northern Ireland. Virgin Direct Personal Finance Ltd, Discovery House, Whiting Rd, Norwich, N

## Axed Dunlap receives a taste of his own medicine

FROM OLIVER AUGUST IN NEW YORK

**THOUSANDS** of sacked workers across America rejoiced yesterday upon hearing that Albert "Chain Saw Al" Dunlap got a taste of his own medicine. The Sunbeam chief executive, who has made more than 60,000 employees redundant during his career as a corporate doctor at a succession of ailing American companies, was ousted in a boardroom coup.

Mr Dunlap's *modus operandi* was to dismiss a majority of the workforce to boost profitability in the short term and then relinquish control in a takeover. But at Sunbeam,

an electrical goods manufacturer, his tactics deepened the malaise. The share price fell to a 12-months low as cutbacks failed to lift productivity. Mr Dunlap's response was to dismiss even more people.

Plans to cut a further 6,400 employees of an already diminished workforce triggered an internal revolt. Peter Langerman, a board member who represents Sunbeam's biggest shareholder, Franklin Mutual Advisers, pushed Mr Dunlap aside.

Sunbeam's shareholders said they had lost patience with Mr Dunlap and his

tactics. He had been hired to repeat his previous slashing efforts at Scott Paper, which was later taken over by Kimberly-Clark, and Lily-Tulip, which merged with Fort Howard Paper.

When Mr Dunlap started at Sunbeam two years ago it had 12,000 employees. He engineered the sale of four out of five of Sunbeam's products. Wall Street analysts said there was little chance of the 60-year-old enjoying early retirement while US companies displayed layer upon layer of fat to be trimmed after a seven-year economic boom.







ECONOMIC VIEW

ANATOLE KALETSKY

MARKET LEADER

# Japan holds key as Far East recovery proves short-lived

Hashimoto is becoming the biggest threat to stability of the global economy

The "dead cat bounce" in Far Eastern currencies and stock markets is well and truly over — and with it the false hopes of an early end to the economic and political crisis which has now engulfed almost the whole of Asia.

On Monday the Hong Kong and Tokyo stock markets collapsed to their January lows. The economies and financial markets of Indonesia, Korea and Thailand are in free fall. All the huge IMF packages, the promises of support from Washington and Brussels, the political reforms and the signs of economic restructuring, have only managed to create a few months of respite.

Even the removal of the region's longest-surviving dictator, President Suharto, has passed almost unnoticed. The Indonesian economy is now imploding at an annual rate of between 10 per cent and 25 per cent; unemployment is rising to depression levels of 20 per cent to 30 per cent; shares in Jakarta have fallen 85 per cent in dollar terms since last July.

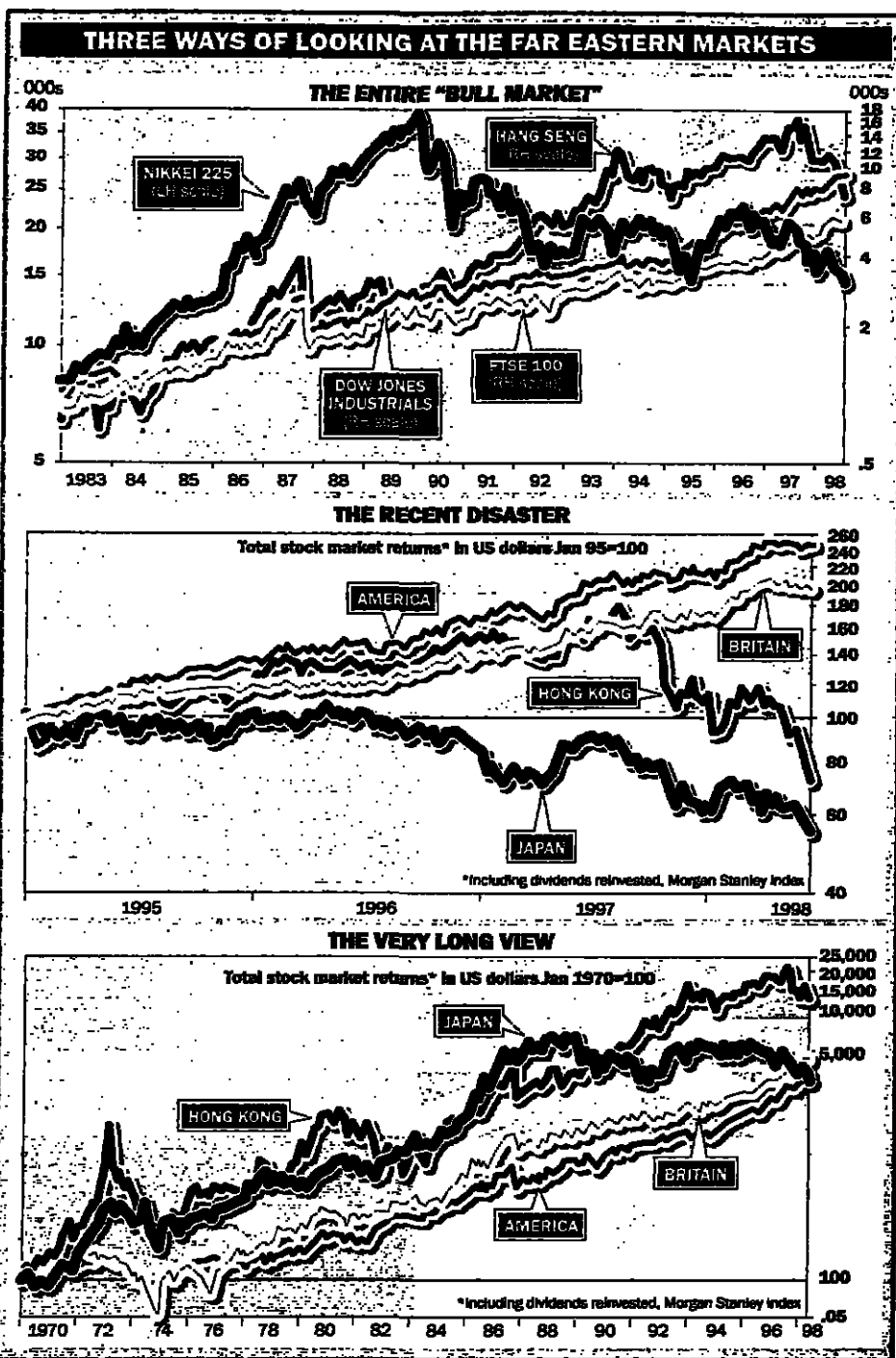
Despite such brutal statistics, the Asian crisis has been of little consequence so far to America, Europe or Britain.

In global terms, only Japan and China are big enough to have any significant macro-economic impact. And even from a narrower Asian perspective, the fates of Korea and Indonesia will depend largely on policies pursued in Tokyo and Beijing.

If the Tokyo and Hong Kong stock markets fall much beyond the levels they hit yesterday morning, they will break decisively through the bases they established in the first phase of the Asian crisis in 1995. What has happened so far in the big Far Eastern markets cannot really be described as a collapse. As the bottom chart shows, the "collapse" in Tokyo and Hong Kong is more accurately characterised as the correction of a period of wild speculation, which lasted from the mid-1980s to the mid-1990s when the world was gripped by an irrational mania about the "Pacific century" and "Confucian capitalism".

But that could change if markets in Japan, Hong Kong and China fell much further. Stock market meltdowns could push these countries into Korean-style or even Indonesian-style vortices of bank failures, industrial bankruptcies, collapsing economic confidence and even political turmoil.

More simply, China could simply run out of patience with Tokyo's relentless devaluation of the yen. The Chinese authorities have made it abundantly clear that they will try to resist devaluation — and rightly so. In an advanced economy devaluation can often be a



healthy technical adjustment, as it was in Britain on White Wednesday. But in China, a politically unsettled country emerging from communism into a market economy after spending a decade building public trust in paper money, politicians tiffle with the currency at their peril. It is safe to say, therefore, that the Chinese will do their utmost to avoid devaluation.

But what if Japan continues to pursue a beggar-my-neighbour policy, which has already pushed the yen down by 20 per cent in six months, which is pricing other Asian countries out of both international and domestic Japanese markets and creating a trade surplus worth more than \$120 billion a year? The Chinese Government would ultimately be no more capable of turning back the tides of global finance than John Major was in 1992 or, more to the point, than was Ramsay MacDonald in 1931.

It is, therefore, to Japan that the world must look both for the trigger of another, more serious phase of the Asian crisis, and for its possible resolution. Ironically, there could be some benefits in a further temporary escalation of Japan's financial crisis — not only because it would make Asian assets even cheaper to

acquire for enterprising foreign investors, but also because of its political impact in Japan.

The fact is that Ryutaro Hashimoto's Government in Tokyo now looks like the main cause of the whole Asian crisis — and Mr Hashimoto's unusual combination of stubbornness, complacency, incompetence and weakness is

## What makes the world so angry is that the solutions are obvious

becoming the biggest single threat to the prosperity of Asia and the stability of the global economy as a whole.

These may seem strong words but, allowing for diplomatic niceties, they are no stronger than the imprecations cast repeatedly at the Japanese in the private summits of G7 ministers and leaders — and even, since last February's unprecedented public criticisms of Japanese

economic policy by G7 finance ministers in London, in their public communiques.

What makes the world so angry about Japan — and I can assure you that the adjectives used above are mild compared with those heard in private from policymakers and businessmen — is that the economic problems are so trivial and the solutions so obvious. Economically, there is nothing wrong with Japan that couldn't be solved by a massive programme of tax cuts. Politically, all Mr Hashimoto has to do is avoid going down in history as Japan's Herbert Hoover.

When I first started using these shorthand phrases about tax cuts and Herbert Hoover in these columns almost two years ago, they may have been controversial. There were many economists who still argued, for example, that Japan could not afford to cut taxes. Official institutions accepted the quaint, public accounting discussed in this column last September, which presented the smallest public debt burden among the G7 countries as if it were the biggest. Confusion was rife between the long-term problems of Japan's ageing population and its high savings propensity and the short-term

issue of managing macroeconomic demand. The comparisons with America in the 1930s were considered unfair.

Today everything has changed. The Hoover comparison is a cliché in the Japanese media and is used publicly even by Mr Hashimoto's own officials. As for tax cuts — mention of which was completely taboo in Tokyo as recently as six months ago — they are now proudly proclaimed as the centrepiece of the Japanese Government's economic recovery plans.

Why, then, is Japan going from bad to worse? The answer is simple: Mr Hashimoto is unwilling or unable to turn his words into actions. Even after the tax cuts and spending programmes announced in April, Japanese fiscal policy is only just neutral. The stimulus packages will merely undo the insane fiscal tightening originally built into the 1997 and 1998 budgets. Worse still, the manner of Mr Hashimoto's tax cuts — payments of around \$500 per family in a single lump sum — seems designed to encourage Japanese consumers to save rather than spend them.

Having procrastinated for so long, Japan now needs a more radical policy to restore public confidence and encourage consumers to start spending. Ideally, such a policy would consist of three components. First, there should be a large reduction in income tax, instead of a series of half-hearted one-off payments. Secondly, there must be an explicit commitment by the Government to do nothing about the build-up of deficits and public debt until the economy has been strongly recovering for several years. Finally, to show it means business, the Government should announce a large temporary reduction in consumption taxes, for at least a year.

The last measure would force the Japanese consumers to spend if they wanted to benefit from the tax cut. Even more importantly, it would underline the discontinuity in economic policy after Mr Hashimoto's disastrous decision to increase consumption tax last year. Of course, such a U-turn would be impossible to perform in Japan's political system without Mr Hashimoto bowing out. And that would probably only happen in response to a much worse financial crisis — the Nikkei average falling by a further 10 per cent to 13,000 is the trigger point identified by many Japanese commentators.

Perhaps the rest of the world should welcome such an intensification of the Japanese crisis — and even encourage some kind of financial catharsis. Psychologically, a change of Prime Minister might be the catalyst for a change in consumer sentiment — which is all that Japan needs to bounce back from depression and help to pull out the rest of Asia. Mr Hashimoto would at least have achieved his apparent ambition to become Japan's Herbert Hoover. As for his successor, he could feel confident that, after a cathartic financial crisis and a policy U-turn, he would go down in history as Japan's FDR.

# Older generation starts to come of age for advertisers



The manifestation of this trend is already being shown (despite disappointing sales for the Rolling Stones tour). Look at the number of Harley-Davidsons being ridden — the quite elderly Charlie Warts still feel able to mount a world tour, playing more than two hours of rock music, gives encouragement to what advertisers and marketing folk are calling the "forever young" sector of the populace.

Problems associated with the changing demographics of Western countries — with people living longer and being more healthy in their latter years — have already been identified by governments.

Across Europe — particularly in Italy and France — the statisticians have given warning that the amount of time people will live after they retire means that it is likely that governments will not be able to afford to pay the state pension. Increasingly, of course, people are saving up for their old age — or being forced to, if the UK adopts Frank Field's concept of compulsory personal pensions.

This is creating a growing class of wealthy people with 20 years of active life in which they will enjoy a large amount of leisure time, their mortgages paid off and their children having left home and set up their own households. The question for the advertising brainboxes is how to sell to these people.

In the US this sector is already being addressed — though typically the lack of subtlety of US advertising shines through. You can hardly turn on the TV in the States without being assailed by a greying couple smiling as they say: "Do you suffer from piles? Then try rubbishex for effective relief."

The Americans seem to believe that all the older generation seem to want from life is a balm to soothe their medical ailments.

In the UK the advertisers are starting to become a bit more canny. Rather than just try to sell older people what the advertisers know they already want — typically medical products, financial services and comfortable shoes — they are looking at ways of flogging products they previously would not have targeted at the over-50s to that same group.

"Increasingly the concept of age is becoming redundant," says Simon Ratcliffe of Grey Brand Futures, the arm of Grey advertising that works on predicting future trends. "Age no longer reliably predicts attitudes, values or appearance."

Grey has collated a great deal of research to show that people are not only living longer, they are feeling younger for longer. These include a survey conducted by *Women & Home* magazine which shows that 80 per cent of women believe they look and feel younger than their years and 84 per cent of them are not afraid to tell people how old they are, as well as a report from Mintel that indicates that one in three over 45s will go to nightclubs.

probably do not feel they wish to buy Saga branded products any more for fear of feeling "fuddy duddy".

Where the "forever young" area of the market may bring the largest sea change is how brands are targeted. What many, particularly clothing or lifestyle brands, have found is that attempting to spread their demographic influence often weakens their presence in the area they originally dominated. So Nike feels a little uncomfortable dipping its toe into the Pringle sector, even if it is making inroads, and if Paul Smith was to suddenly decide to attack the Dunn & Co market, the designer would have to realise that he was in danger of leaving his flank exposed to attack.

REMEMBER the curse of Nike. It manifested itself famously at the 1992 Olympics in Barcelona when the sports-wear brand targeted its campaign on three leading athletes, all of whom failed spectacularly.

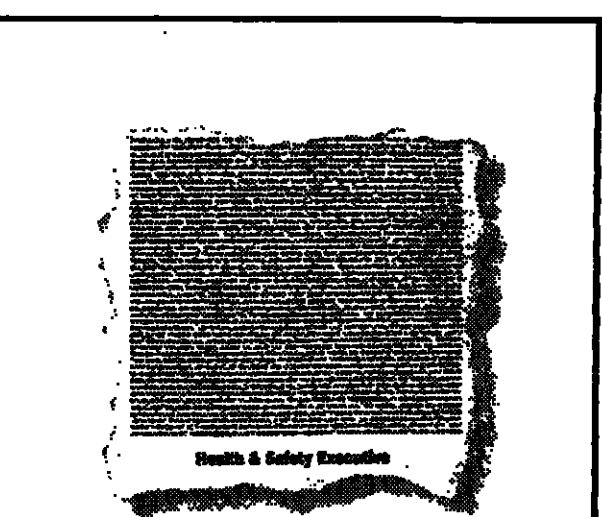
Since then Nike has regained some ground and seems to be picking a few more winners. For this World Cup, Nike has started quite well — having signed up the Brazilian, Italian and, um, South Korean teams as well as sparkling performers Ronaldo and Christian Vieri.

It seems that the black spot this time is actually on Nike's arch rival, Adidas. It already has the massive negative factors of being an official sponsor and a pretentious name (Adidas prefers it to be spelt with a small "a").

However its choice of players and teams to back indicates there is a curse of Adidas — Spain, which lost 3-2 to Nigeria; Alessandro del Piero, injured; Patrick Kluevert, sent off; and of course David Beckham. Historians, it is spelt D-R-O-P-P-E-D.



People are now feeling younger than their actual years



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## News editing

WHO is this chief executive, describing his experience of running a company quoted on the stock market? "In assessing future performance, newsflow is important — what can investors expect to happen when... However it is also important to have a clear view of what will not be divulged."

Yes, Keith McCullagh of British Biotech, surely you guessed, writing for *European Life Sciences* 98, a review of the biotech industry published by Ernst & Young. I think one can safely assume McCullagh was

writing before he resigned from British Biotech — after a tremendous fuss over the way price-sensitive information reached the market, was it not? He goes on to agonise over "when 'key milestones' such as the results of clinical trials should be released, which, as it happens, was at the heart of the problem at his company. "A programme of regular communications is essential," he concludes. Indeed.

THE science of the actuary is an imprecise one, more about averages than forecasting specific events. So my commiserations to the Institute of Actuaries, which chose yesterday for the official launch its exhibition at the Holborn head office about the actuarial profession, Modelling the Future, at 1.15 precisely. I tried to get there, honest. But the traffic...

## Broken Axel

THE actuaries were not the only ones caught on the wrong foot. There was fury at the Mirror Group over the decision by Axel Springer to shelve a takeover, because this was communicated to the management in London by phone at 1.25 yesterday. Quite deliberately, without a doubt — for you,



Tommy, zee game is over. The Mirror men did not have to wait long for their retaliation, though. Only until 8.10, just after kick-off for the Germany-US game, when the calls started from London to Berlin.

## On the RAC

I HEAR the battle for the heart and soul of the RAC has taken a potentially vicious turn. The first vote is on Friday, and the rebels, who are protesting about the sale of the RAC's breakdown services business to Cendant, are angling for some serious support. They are trying to contact CalPERS, the California state employees' pension fund that already

plans to sue Cendant over the matter of various directors who sold shares worth \$143 million some time before a report of accounting irregularities trashed the share price. The name may not mean much on Wall Mall, but CalPERS is one of the most feared organisations in corporate America for its various stands on shareholders' rights.

Whether CalPERS can help here, though, is a moot point. The rebels say they want the RAC's breakdown services business put up for auction to see if there are any higher offers out there. However, as one admitted to me a few days ago, too much opposition at Friday's meeting in Earl's Court might result in a delay and put any deal in jeopardy. This would mean waving goodbye to £33,000 apiece, the amount each is promised by the RAC if the sale goes through.

CITY gent one to City gent two as they walk out of the Bank at lunchtime yesterday: "You taking the afternoon off?" City gent two: "Effectively. Gent one: "What does effectively mean?" Gent two: "I'm going to the pub and I'm not coming back." Now, how much am I bid to withhold the names?"

## Total eclipse

AS BRUSSELS inches imperceptibly towards a verdict on the long-grounded British Airways/American

Airlines alliance — the latest date is, yet again, next week — the BA team working on project "Link", as it is known internally, has been having fun dreaming up names for the thing. BA-American is out, clearly, far too boring, as is "British Airways/American" in imitation of a certain big accountancy merger. The two airlines want to challenge the so-called Star Alliance, built around the combination of United Airlines and Lufthansa. So some genius in planning has now come up with the Sun Alliance — "because when the sun's out, you can't see the stars". Brilliant. Perhaps they should think about selling insurance too.

MARTIN WALLER



Ayling: the name game





# TECHNOLOGY SHOULD NOT REQUIRE A LEARNER'S PERMIT.

You scratch your head. Bite your nails. Technology was supposed to make things easy. So why is figuring out how to use it so difficult? We see things from a different perspective. (And always have.) It's called network computing. And that's led us to breakthroughs like our Java™ technologies. Taking away the hurdles. Making computing more seamless, more transparent. So you can do exactly what you want to do. Without having to spend your life figuring out how. THE NETWORK IS THE COMPUTER.™



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THE TIMES

FTSE 100	4,812.50
NASDAQ	2,150.00
DAX	3,200.00
Nikkei	12,500.00
Hong Kong	10,000.00
S&P 500	1,200.00
EUR/USD	1.6500
GBP/USD	1.5000
USD/JPY	145.00
USD/CHF	1.6000
USD/SGD	1.3500
USD/HKD	7.7500
USD/TWD	24.5000
USD/INR	45.0000
USD/BRL	1.5000
USD/RUB	20.0000
USD/ZAR	10.0000
USD/TRY	1.5000
USD/PHP	48.0000
USD/IDR	1,500.00
USD/THB	30.0000
USD/MYR	3.8000
USD/VND	1,500.00
USD/KRW	1,000.00
USD/SGD	1.3500
USD/HKD	7.7500
USD/TWD	24.5000
USD/INR	45.0000
USD/BRL	1.5000
USD/RUB	20.0000
USD/ZAR	10.0000
USD/TRY	1.5000
USD/PHP	48.0000
USD/IDR	1,500.00
USD/THB	30.0000
USD/MYR	3.8000
USD/VND	1,500.00
USD/KRW	1,000.00







Equities extend losses

TRADING PERIOD: Settlement takes place five business days after the day of trade. Changes are calculated on the previous day's close, but adjustments are made when a stock is ex-dividend. Changes, yields and price/earnings ratios are based on middle prices.

Table of equity prices for various sectors including Alcoholic Beverages, Banks, Breweries, Pubs & Rest, Building Materials, Chemicals, Construction, Distributions, Engineering, Food Manufacturers, Healthcare, Household Goods & Text, Insurance, Investment Trusts, Media, Mining, Oil & Gas, Property, Retailers, Food, Retailers, General, and Support Services.

Table of equity prices for various sectors including Alcoholic Beverages, Banks, Breweries, Pubs & Rest, Building Materials, Chemicals, Construction, Distributions, Engineering, Food Manufacturers, Healthcare, Household Goods & Text, Insurance, Investment Trusts, Media, Mining, Oil & Gas, Property, Retailers, Food, Retailers, General, and Support Services.

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Table of equity prices for various sectors including Alcoholic Beverages, Banks, Breweries, Pubs & Rest, Building Materials, Chemicals, Construction, Distributions, Engineering, Food Manufacturers, Healthcare, Household Goods & Text, Insurance, Investment Trusts, Media, Mining, Oil & Gas, Property, Retailers, Food, Retailers, General, and Support Services.

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Exciting times at the CPS. THE advertisement starts with a headline 'Exciting times at the CPS' and includes a photo of a woman. Text below the photo reads: 'The advertisement starts with a headline... Today Barbara... the chief executive... appointed to the... administrative... already... but Sir... children's... contains a... claims by... decision-making... powers to chief... crown prosecutors could...

Geoffrey Robertson. THE advertisement features the name 'Geoffrey Robertson' and a small graphic of a person's head.



LAW

MEARS AGAIN 41  
LAW REPORT 26

# No missus, no clout

Chris Barton on the unwed father's lack of automatic rights to legal parenthood

Of the 650,000 children born in England and Wales in 1996, what's different about 35 per cent of them? The answer is that they do not have legal fathers — unless the men concerned are what is termed "absent", in which case the Child Support Acts 1991-95 will be good enough to acknowledge them. Such a man may therefore find himself paying for children he is not allowed to see, irrespective of how good a parent he has been and whether or not he was to blame for the break-up. At the other end of the scale, even if the couple's relationship has been happier and more durable than many a marriage, the mother's death leaves the children legally orphaned.

The Lord Chancellor's Department recently issued a consultation paper on unmarried fathers, which states the Government's belief that "all parents should be encouraged to exercise responsibility for their children".

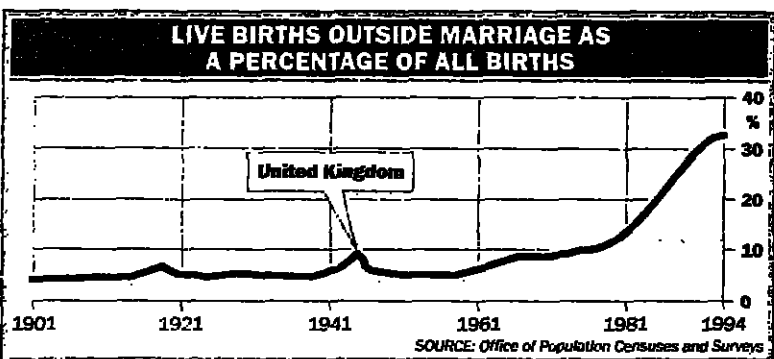
What unwed fathers lack is the automatic parental "responsibility" ("clout" would be a better word) granted to husbands — who retain it on separation and after divorce no matter how disgracefully they have behaved. In recent years the number of unmarried fathers who have been disillusioned in solicitors' offices has rivalled the number of women who have discovered that they are not common-law wives, and no academic legal conference in the 1990s has been complete without some sociologist — there to bring intellectual respectability to the proceedings — uneasily discovering his own paternal nudity. (One wondered whether the mother of his children would find this as worrying, or indeed surprising, as he obviously did: it was not until the Guardianship of Minors Act 1973 that women had full legal authority over their "legitimate" children.)

Perhaps the matter would come to a head when he told her about his other new discovery: parental responsibility agreements (PRAs). Though married men become legal fathers without having to ask the mother, the rest (230,000 pa and growing) normally need her consent.

Under the Children Act 1989 there is a simple, plain-language, one-side pro forma for both parents to sign (not the child, even if he or she is old enough to know what's going on). It is therefore much easier than making a passport



When Did You Last See Your Father?: the modern child may not always be allowed to see his father



application, except that only a JP or court official may witness it. That refinement was introduced to prevent forgery — by either father or mother presumably — in 1994, after which the number of such agreements filed fell by over a third. They now average 3,000 a year — less than 1.5 per cent of the number of non-marital children born. This is despite the fact that almost 80 per cent of such births are jointly registered, no doubt mainly by parents who think that it makes father as legal a daddy as his married brother.

When the mother subsequently becomes incapacitated, or she bolts, leaving him in *de facto* charge of one of the 10 per cent of single-parent families that are father-headed, the error may become crucial.

It is the negligible take-up rate of PRAs that has led the Government to

flirt with granting such men automatic status, thereby courting a full-scale debate on whether new Labour is the party of the family or merely of marriage. Curiously, the consultation paper makes no mention of a middle way that would achieve the object, while ducking the principle and not lengthening the legislative queue: to require birth registrars to push a PRA under parents' noses when they sign the register. This would even perpetuate existing differentials with married men in that the father would still need to obtain a parental responsibility order from the court were the mother to decline to sign — and the court would still be able, on the mother's application, or even that of the mature child, subsequently to annul the PRA if the latter's welfare so required.

If the Government does grasp the net-

tle of principle, for what counter-arguments should it be ready? The English (1979) and Scottish (1992) law commissions — in papers infinitely more thoughtful than the present one — came out in favour of automatic parental status for "unmarried" fathers. They dealt with the rapine child (far more likely to be legitimate than not), and what they saw as the threat to single-parent mothers (any one person with parental responsibility is usually allowed to exercise it independently without need for consultation or fear of veto).

Of course, all this presumes that the actual paternity of the child is not in issue. No doubt there are men named on PRAs who are not the biological fathers of the children concerned. And MPs, the media, and others whose own probity forces them to take a hard line on marriage may not recall that the child-support legislation (which would have brought down Margaret Thatcher had not the poll tax done so) does not presume that a man is the father of his wife's children.

Perhaps those MPs who were in Parliament at the time should be reminded of that when they are tut-tutting about those underworked and overpaid public servants who have unaccountably desecrated the MPs' masterpiece.

Professor Barton is Head of the Centre for Family Law and Social Policy at Staffordshire University. He happily acknowledges parental responsibility.

# Fees are not like a lottery win

Barristers' fees are a subject of perennial fascination for the public, the judiciary, and, of course, other barristers. On a slow news day, the press can fill pages with critical reports and outraged comments on earnings which would be considered modest by any Premier League footballer, rock musician, or director of a successful business.

It is a curious feature of British life that it is acceptable to win a fortune by good luck on the National Lottery, but shameful to be well remunerated for the hard work and effort necessary to reach, and remain at, the head of a demanding profession. Lawyers are accustomed to reading ill-informed comment about their fees in newspapers whose only interest is to encourage envy in their readers. It is especially disappointing that among those now criticising barristers' fees is a High Court Judge, Mr Justice Lightman.

In his Chancery Bar Association lecture, given on June 3 (extracts from which were published on this page last week), Mr Justice Lightman emphasised that he had "nothing to say about the general level of fees charged by the Bar", but suggested that "there are no doubt cases which give the Bar a bad name". He considered that "extravagant fees" were charged by "some leading practitioners in commercial and insolvency cases". In the judge's experience, "it is not unusual today to find briefs marked at £100,000 and a number of leaders regularly charge a brief fee of £350,000 and more". Annual incomes of £1 million "no longer occasion surprise".

For Mr Justice Lightman, the payment of such fees gave rise to "two grave anxieties". He was concerned that only the "wealthy and powerful" could afford to brief the best barristers. And he suggested that high fees may be caused by "undue economic exploitation" of the Bar's monopoly of advocacy in the High Court.

None of this stands up to analysis. The average barrister has a slightly higher chance of earning a brief fee of £350,000 than of scoring the winning goal in the World Cup Final. Mr Justice Lightman's comments relate to atypical barristers whose experience bears no relation whatever to the financial situation of almost all other members of the profession.

The handful of barristers who have caused such concern to Mr Justice Lightman, and other critics, are well remunerated because they have demonstrated, in a highly competitive environment, that they have exceptional powers of analysis and advocacy for which potential clients are willing to pay in cases

where hundreds of millions of pounds may be at stake.

When successful footballers, singers and models earn a fortune from those willing to pay for their unique talents, it is an attractive feature of our society, rather than a cause for apology, that wealth may also be earned by people from all types of background who have a talent for hard work and the use of their brain.

There is no basis for the suggestion that only the "wealthy and powerful" have access to the best barristers. That top barristers can command high fees from those who can afford to pay them does not mean that they refuse to advise, and appear on behalf of, others. A cursory glance at the law reports will reveal that those litigating against the "wealthy and powerful" are frequently represented, at a modest fee, by the best barristers.

In any event, clients who are unable to afford the very top barristers are not left unrepresented, but have access to large numbers of very skilled representatives.

It is also difficult to understand Mr Justice Lightman's concern about "undue economic exploitation". This is a highly competitive market. Fees are paid by knowledgeable clients who are advised by experienced solicitors. Such clients are no more exploited by the Bar than they are by other experts who charge them a market rate for services.

A sense of historical perspective is missing in those who criticise high earnings. Exceptional barristers have always earned exceptional amounts. In his *Lives of the Lord Chancellors*, R.F.V. Heuston noted that at the Bar in 1922 the first Lord Hailsham earned more than £46,000, the equivalent today in real terms of more than £1.5 million. Such exceptional barristers soon grow weary from the great pressures that the work imposes. They then become judges — and quickly forget about life at the Bar.

The law lords are this week hearing argument on the level of criminal legal aid fees for QCs. Of course, special considerations apply where the State is paying the bill, a topic outside the scope of Mr Justice Lightman's lecture. There is then a public interest in ensuring that the fees are reasonable, having regard to other demands on public funds. But the law lords should take the opportunity to explain that criminal legal aid barristers do a complex and pressurised job and are entitled, without public opprobrium, to receive a fee which takes account of their overheads and years of experience.

The author is a practising barrister and a Fellow of All Souls College, Oxford.



COUNSEL  
DAVID  
PANNUCK QC

## Exciting times at the CPS

THE advertisements appear today for the successor to Dame Barbara Mills. The job will, of course, be different: a chief executive has been appointed to take on the administrative side. Headhunters are already busy, apparently.

But Sir Humphrey admirers need not apply. Sir Iain Glidewell's recent report on the Crown Prosecution Service contains a few pithy observations. One is his response to claims by Dame Barbara that his plans for devolving decision-making powers to chief crown prosecutors could not

be done because there was a risk it would lead to more mistakes. That view is rejected. "Sir Humphrey has moved on," he says.

No obvious contenders have yet come forward. But Neil Addison, a former senior crown prosecutor and long-standing critic of the CPS, is likely to throw his hat in the ring — if not for the top job, then for one of the new chief crown prosecutors. Much of what he suggested in his January 1995 article, "What is wrong with the CPS?", is in Glidewell. The job of DPP, he has said, has "the potential to be one of the most exciting in the criminal justice system".



The author-barrister will speak on criminal law

## Robertson the speaker

GEORFFREY ROBERTSON, QC, the author of *The Justice Game*, will deliver the Bernard Simons Memorial Lecture tomorrow, held by Simons Muirhead & Burton. The title is *Ending impunity: do international criminal courts work?* Middle Temple Hall, 6pm, free admission.

## INNS AND OUTS

### Britain's best

WHICH law firm would you choose if your livelihood was at stake? A new survey of 230 sources in industry and private practice has found that in Britain the top litigators are rated as Freshfields and Herbert Smith. The two firms emerged neck and neck in the survey, carried out by *International Commercial Litigation* and covering 15 countries.

The magazine's editor, David Samuels, seems to give a casting vote to Freshfields. The reason? It had decided some years ago to corral its brighter lawyers into litigation and recently announced a litigator, Ian Taylor, as its new managing partner.

### Site to be seen

LAW FIRMS are usually coy about their clients. But Nicholson Graham & Jones launched its website this week — <http://www.ngj.co.uk> — which, as well as guides to its partners and information for prospective trainees, includes a "deals" section, where the City firm is publicising information on its latest deals with high-profile named clients.

### Costly cases

DAMAGES awarded by courts in personal injury and fatal accident cases could rise with the publication of new tables by the Government's actuary department. The tables, which allow for expected future mortality, were drawn up by a multidisciplinary group chaired by Sir Michael Ogden, QC.

If courts adopt the tables, awards for the cost of care could rise by 8 per cent for a

40-year-old male and 16 per cent for a 60-year-old. The rises for women would be lower because of their higher life expectancy.

### Pension problem

WITH pension-splitting in the news, a barrister, Kenneth Forder, has written to MPs to raise what he calls the "lacuna" in rules governing civil servants' pensions. He says that colonial widows and orphans pension schemes do not allow for pensions to be paid to divorced wives. "This can cause hardship, especially where the wife spent a large part of her life accompanying and supporting her husband while serving overseas."

He points out that the widow might be — and in some cases is — bitterly opposed to the divorce, but is still denied any share of the pension on her former husband's death. The Government has told him it has no plans to change the rules.

The first NHS private finance initiative project for specialist mental health facilities has been clinched by *Capsticks*. It acted as legal adviser to the project, a new £9 million centre in Oxford for mentally ill people.

### Brum views

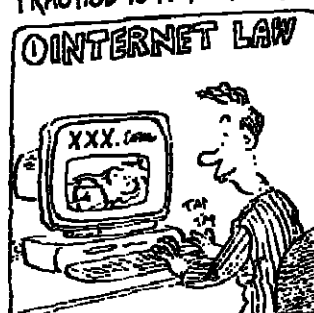
MORE on Birmingham: Judge Richard Gibbs writes about May 26's *Law Focus* on Birmingham that the Mercantile Court was set up four years ago and is part of the Queen's bench division not the Chancery, although Judges Lee and Gibbs also sit in the Chancery division. Finally, the city may be landlocked but it does attract some Admiralty work. The judge says that one recent case involved the making of an order to arrest a ship.

SCRIVENOR

## STUART & FRANCIS

## QUEEN'S COUNSEL

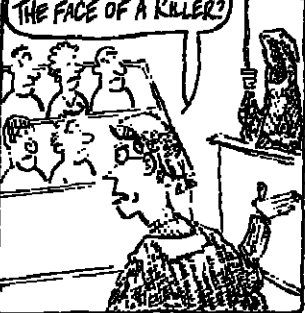
WHAT KIND OF LAW PRACTICE IS RIGHT FOR YOU?



SPORTS LAW



CRIMINAL LAW



PHARMACEUTICAL LAW



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**He's experienced, intelligent and professional.**

**Ashursts turned him down.**

Don't get us wrong. We value experience, professionalism and intelligence as much as the next firm.

However, we also think it is just as important that our people have a mix of commercial and individual flair backed by the confidence to express it. After all, that is why Ashursts Morris Crisp is one of the most rewarding international law firms to work for.

If you think we won't open you down, contact Stuart Walker on 0171 972 7024, [stuart.walker@ashursts.com](mailto:stuart.walker@ashursts.com) or write to him at Broadwalk House, 5 Appold Street, London EC2A 2HA.

Alternatively, contact Jonathan Brenner or Andy Golding on 0171 523 3838, or write to them at ZMB, 37 Sun Street, London EC2M 2PY.

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### Commercial/Media Lawyers: £Competitive

The Millennium Experience will be the most spectacular millennial event anywhere in the world and will provide an international showcase for British design and ingenuity. The organisation is responsible for the building of the Millennium Dome at Greenwich, the on-going running of the site and other events around the UK. Two opportunities have now arisen to play an important role in this once in a lifetime event. Due to an expanding workload, The Millennium Experience is now seeking to recruit two additional lawyers to work closely with the Company Secretary.

### Commercial/Media: 2-5 years' PQE

For this role you will need sound experience in drafting and negotiating commercial contracts, preferably in the media or entertainment sectors. Sponsorship, trademarks and/or construction experience would be helpful. Operating very much as number two to the Company Secretary, you will be involved in drafting and negotiating a wide range of agreements in relation to The Millennium Experience. Contact: Stephen Leavy.

### Sponsorship: 3 years' + PQE

This is a 3-6 month contract, during which you will be primarily involved in drafting and supporting the negotiation of a wide range of sponsorship agreements. You should preferably be available at short notice with up to date experience of sponsorship agreements and the ability to assimilate this varied and exciting environment very quickly. Contact: Emma Anderson.

For both positions you will need strong interpersonal skills and the ability to approach legal issues in a structured manner whilst maintaining the necessary flexibility to operate in a dynamic organisation such as The Millennium Experience Company. Both positions offer a competitive remuneration package and the chance to play an important part in the most high profile event of the last thousand years.

For further information, in complete confidence, please contact Stephen Leavy at QD In-House Legal or Emma Anderson at QD Special Project Lawyer on 0171 405 6062 (0181 540 2381 evenings/weekends) or write to them at QD, 37-41 Bedford Row, London WC1R 4JH. Confidential fax: 0171 831 6394.

## In-House • London • Practice

### RECRUITMENT CONSULTANT

Our highly successful in-house team is seeking an experienced consultant or a commercially minded young lawyer to join our team. We offer a uniquely informal working environment where the rewards for a successful consultant are high.

### IP/COMMERCIAL c.4-7yrs

East Anglia - Innovative, specialist co seeks adaptable lawyer with good IP & commercial experience (and ideally some corporate) to join this dynamic company as sole lawyer.

### COMMERCIAL to £35k

W. Sussex - World leading engineering co seeks a commercially minded young lawyer, with c.1-4yrs ppe to join small team handling a broad commercial & contractual workload.

### COMMERCIAL to c.£40k

Basingstoke - Commercial lawyer to join financial services co as sole lawyer dealing with wide range of commercial agreements, managing external lawyers & some co sec.

### CORP FINANCE c.£45k + Big Bonus!

London - Ambitious corp fin specialist - move out of law & assist MD at fast growing specialist underwriter. You will be groomed for MD role in c.5yrs. Bonus to 100%.

### CO/COM - SUPPORT ROLE 5yrs +

London - Leading multinational seeks high calibre City trained co/com lawyer with int'l transactions experience to join in newly created, high profile professional support role. Contained hours. Good package.

### CO/COM 2-6yrs

London/Surrey - Several leading int'l co's seek bright young co/com specialists to join established legal teams. High quality workloads - range of cultures - call to discuss.

### IP c.2-6yrs

London - Leader in chemicals sector seeks non-contentious IP specialist to support R&D, marketing, technical and M&A teams.

Contact Sophie Brooks (London-Practice), or Susan Hall (In-House) on 0171 430 1711 or write to Graham Gill & Young Legal Recruitment, 46 King's Cross, London WC2B 6EN. Fax 0171 831 4186. E-mail: ggy@etc.com.uk

### PARTNERS

In an increasingly businesslike environment, commercial acumen and entrepreneurial skills are valued above following. If you have those skills and want to develop them further, opportunities exist in progressive firms and MDPs for partners looking to join like-minded people who will help them really make an impact.

### FRAUD LITIGATION 1-5yrs

Superb opportunity for commercial litigator seeking to move into high profile fraud litigation work at thriving medium-sized firm. Caseload comprises 50% fraud lit & 50% heavy weight commercial litigation.

### LITIGATION 1-4yrs

Handle an exciting blend of domestic and international litigation and arbitration at this very popular medium sized firm. A high level of client contact and unrivalled quality of training are guaranteed.

### SHIPPING LIT 2-3yrs

A rare opening in this small, well structured City firm whose clients include P&I clubs, owners, cargo insurers and charterers. Terrific opportunity for lawyer seeking top quality work in informal atmosphere.

### PRIVATE CLIENT 2-5yrs

This City firm is pre-eminent in this field and offers an interesting mix of high value work (both domestic and international) as well as tax planning and charities work. A strong academic background and commercial approach are vital.

### CO/CO 2-3yrs

A wide variety of high profile co/co work and relaxed environment are among the attractions at this niche media firm with its headline client base. An excellent opportunity to make a mark in this much talked about firm. Competitive salaries.

### IP/MEDIA Know-How

Superb opportunity for 3yr ppe+ IP/entertainment/media lawyer to leave long, unreplicable hours and time sheets behind! Exciting role supporting fee-earners at popular and highly profitable firm.

### COMMERCIAL/IP 18months-4yrs

Medium-sized West End firm with excellent entertainment reputation seeks bright lawyer to handle extensive range of non contentious intellectual property and commercial work. Ideally suit lawyer seeking to escape from the City!

### COMMERCIAL PROPERTY 1-4yrs

Friendly SW1 firm with strong reputation seeks bright junior lawyer to join its thriving property practice. Excellent opportunity to strike that elusive balance between work and life outside the office.

### IP/IT 3-6yrs

Exciting opening for experienced IP/IT lawyer to handle a broad caseload (both contentious and non-contentious) at thriving c.30 partner firm outside the City. Excellent partnership prospects on offer.

### CORPORATE Undoubtedly a market leader.

Undoubtedly a market leader, this medium sized City firm is a popular choice with lawyers from bigger City firms who want prestigious corporate work and an enviable quality of life. Superb package.

### EMPLOYMENT 2-3yrs

One of the City's leading employment practices has a rare opening for a committed and high calibre junior lawyer. A thorough grounding in this area during training is important.



0171 430 1711

## PRIVATE PRACTICE

### ENERGY TO £250,000

The leading international City firm, with an excellent reputation for the quality of its commercial property work, is looking for a lawyer with 3-7 years' ppe to join its highly successful commercial property retail team. The successful candidate will deal with a wide range of interesting and high profile work, and will enjoy camaraderie and support in this impressive working environment. (Ref. 23056)

### JUNIOR FSA TO £65,000

A terrific opportunity for a lawyer with 1-6 years' ppe to join one of the world's leading multinational firms, undertaking a mixture of FSA and fund management work. You will have experience of advising institutions on the regulation of investment and banking, and, preferably, some experience of structuring and establishing offshore funds. A superb financial package is available. (Ref. 23008)

### CONSTRUCTION TO £62,000

The City based international law firm is seeking a construction lawyer with 4-6 years' ppe to undertake a mixture of contentious and non-contentious work. With good interpersonal skills and an outgoing personality, the successful candidate will have plenty of opportunity for client contact, and will work on major projects in conjunction with the firm's banking and energy practices. (Ref. 22490)

### EC COMPETITION £50,000+

A superb opportunity at this leading international firm for a lawyer with at least 3 years' experience of EC and Competition law to advise on the full range of EC issues including state aid, public procurement, international trade and utilities regulation. As part of this winning team you will have the flexibility and scope to significantly enhance your reputation and career. (Ref. 22902)

### SECURITISATION TO £48,000

An opportunity of a lifetime for a corporate/finance lawyer with 0-3 years' ppe to undertake structured finance work, with an emphasis on securitisation, for this premier international firm. If you are keenly analytical, with good client handling skills, and want to be part of an upstart, high profile team, this firm will offer you a lucrative career in a terrific working environment. (Ref. 22821)

### ENERGY TO £1250,000

A superb opportunity for a projects lawyer to join a practice poised for dramatic expansion. Whether you have a finance or a commercial contractual angle to your experience, you will be challenged by the international and complex work. As part of a rapidly developing team in the London office of one of the UK's major commercial practices, this is a high-profile partner position. (Ref. 20894)

### CORP/COMM EXCELLENT

The corporate/commercial department of this highly successful City firm continues to move from strength to strength and now seeks to recruit lawyers with 2-6 years' ppe to undertake extremely high quality work, largely of an international nature. Enjoy a better quality of life while maintaining quality of work and career aspirations. (Ref. 22994)

### CO/CO STOP CITY

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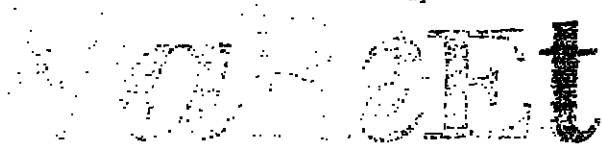
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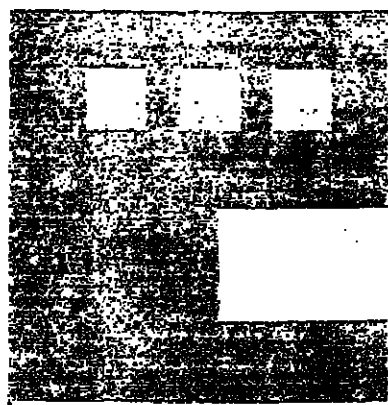
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The new DPP will have to be adept at dealing with change, says Iain Glidewell



Guessing game: whoever succeeds Sir Thomas Hetherington, left, Sir Allan Green and Dame Barbara Mills at the CPS has a hard task ahead

The office of the Director of Public Prosecutions is almost 120 years old. But for only one tenth of that time has the holder been head of the Crown Prosecution Service. That service itself is facing considerable change and a big part of that will be in the role, nature of the responsibilities and skills required of the DPP.

For more than a century after the first DPP was appointed in 1880, he and his department were concerned solely with the prosecution of the most important and difficult criminal offences. Throughout this period, the task of conducting most of criminal prosecutions in England and Wales remained in the hands of the police.

Although the work of the DPP's department was of increasing importance, including the prosecution of the most complex or sensitive cases, the department handled only a small proportion of prosecutions instituted by the police. And it remained small. In the early 1980s the DPP had a total staff of about 180. This changed in 1986 when the CPS was created. The DPP became head of the new service, charged with taking over the conduct of some criminal proceedings against 1.3 million defendants instituted by the police, dealing with offences ranging from the gravest to the least serious.

The DPP has overall responsibility, with 6,000 staff, for this work. In addition, the change in 1986 was not simply a vast increase in the size and the workload of the organisation. The department and the way it operated were then wholly new and thus quite unlike the old DPP's department.

The Prosecution of Offences Act 1985 was intended to create a prosecuting service which would be funded by the national exchequer. It would apply national standards to the prosecution process, but would deliver its product,

# Crown head with a new leading role

the effective but fair prosecution of offences, at local level throughout the country, operating through local offices.

The history of the CPS over the 12 years of its life shows that the two aspects intended by the 1985 Act, reconciliation of the national and local elements in the equation, were not easy to achieve. To ensure that national standards are applied to prosecution decisions throughout the country, some system of periodic checks and inspection is necessary.

But the problem is that the greater the impact of national headquarters, the less scope there is for those making the decisions and conducting the prosecutions locally to exercise their own judgment and initiative and local knowledge.

There have been real achievements in the past 12 years which are rarely acknowledged: the establishment of a national, independent, professionally-run prosecution service; the formulation and promulgation of a national code for Crown prosecutors; and the establishment, in co-operation with the police and other agencies, of common policies in important aspects of the

criminal justice process, such as charging standards and guidelines for the care of witnesses.

The process of creating a national service has now reached a point where we can be reasonably satisfied that this half of the equation is in place. This is less true of the devolution of responsibility for the conduct of prosecutions to the local level.

Before we started our review of the CPS, the Government had already decided to reorganise the structure of the service. At present the CPS is divided into 13 territorial areas. In future there will be 42 areas, in line with police force areas (treating the Metropolitan and City of London forces as one). Each area will be headed by a Chief Crown Prosecutor who will work in co-operation with the chief constable and his force, with magistrates and judges.

This gives the opportunity for a genuine devolution of responsibility. Each CCP will have his own budget for the operation of his area, and the national standards of the prosecution process. The CCP should be given as much discretion as possible for the

running of the area and the improvement of standards.

In our report we compare the CPS, when so reorganised, to a large firm of solicitors specialising in criminal prosecution and operating from offices throughout the country. This is when the DPP's role becomes vital. He, or she, will head an organisation of 6,000 people, many of them professionals or semi-professionals, most of whom will be working in the 42 areas. The new DPP will immediately be concerned in the appointment of the Chief Crown Prosecutors.

The first and greatest challenge for the DPP will be to lead the team of 42 CCPs. Since they will all be lawyers, it is inevitable that they will sometimes have differing views. Establishing leadership over this team will be a formidable task.

That accomplished, the DPP will be well on the way to achieving his next main objective, to restore the spirit and encourage the enthusiasm of the staff. The CPS has suffered from bad publicity, not all of it deserved, and has been subjected to a series of organisational changes. If the staff can be assured that once those of our recommendations that are accepted are in place, and that there will be no further big changes, they will, we are confident, give their best and reveal talents that may surprise many.

We concluded our report by saying: "As a body, the members of the CPS must be allowed to regain their pride and achieve their potential. In a phrase, get on with the job. We believe that together they can do so."

That belief is not a pious hope. But when it is fulfilled, the person who will have played the greatest part in achieving it will be the new DPP.

● Sir Iain Glidewell, a former Court of Appeal judge, chaired the review of the CPS that reported two weeks ago.

# Ambush on the campaign trail

Law Society elections are just rife with intrigue, says Martin Mears

One should, I know, shake one's head at the prospect of another Law Society election campaign. But I don't. Life in the legal world can be dull, and I admit to a disreputable relish for the annual exhibition of intrigue, back-stabbing and humbug.

The story so far: a man named Martin Mears called the first open election for Law Society President in 1995 (may God forgive him). To everyone's surprise, he and his faithful lieutenant, Robert Sayer, were successful. Their year of office was, to say the least, turbulent. They were narrowly defeated when they ran for re-election the following year. Thereupon, Mr Sayer was approached by a band of Law Society Council insiders bearing blandishments. "Enough," they said, "of this wrangling. Let us bury our differences and work together for the benefit of the profession. In you, Bob, we perceive unsuspected virtues. Foreswear the troublemakers and join our ticket as prospective deputy Vice-President." To cries of "Don't fall for it, Bob!", Mr Sayer succumbed and was duly elected, with Michael Mathews, a Clifford Chance partner, as Vice-President and Philip Sycamore as President.

Things have ticked along quietly enough since. Mr Mathews has been an adequate, if unexciting, Vice-President and Mr Sayer has toiled conscientiously as a member of the team, albeit a semi-detached member never regarded with much affection by his new associates.

Mr Mathews and Mr Sayer might reasonably have expected to progress to the usual promotions — the vice-presidency and presidency. But things have turned out otherwise. They now find themselves challenged not by some peripheral maverick but by Messrs Michael Napier and David McIntosh, both members of the council's cabinet,

the Policy Committee. No one can blame them for feeling hurt and surprised by this ambush. Last year Messrs Napier and McIntosh led their campaign team. Only 12 months ago, they were extolling the virtues of the Sycamore/Mathews/Sayer dream ticket and urging the profession to vote for an end to "politics" and divisiveness.

So what has caused Mr Napier and Mr McIntosh to change their minds? If Messrs

Irwin Mitchell, a leading legal aid firm, advertises himself as "The Man who Understands Legal Aid". He adds that "proactive, practical ideas that require quick thinking come naturally to me", and that with his associate, Mr McIntosh, he possesses "statesmanlike judgment, communication skills, experience and knowledge" — all very reassuring, if a bit short on substance.

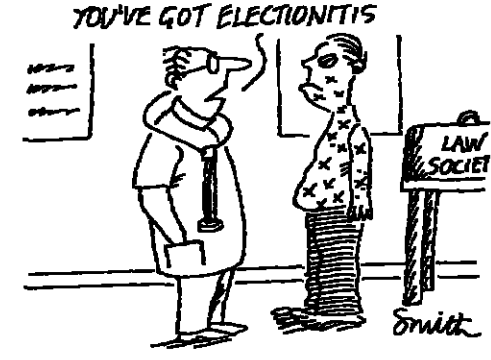
Mr McIntosh is another senior partner (in the City firm Davies Arnold Cooper). Solicitors should vote for him, it seems, because of his understanding of indemnity insurance issues and general persona as a modern chap. His subtext is that it is he, rather than Mr Sayer, a practitioner in a small West London firm, who would carry weight when dealing with third parties and the Government.

Mr Mathews makes the reasonable point that having been Vice-President and a member of the Legal Aid Task Force during the past 12 months, he, too, has picked up a bit about legal aid and indemnity insurance. He adds that to be a senior partner at Clifford Chance implies some modicum of ability and energy.

Mr Sayer's main theme so far is the wickedness of his opponents in reintroducing the "squabbling" associated with contested elections. But seeing that Mr Sayer was himself one of the original begetters of such elections, this is a bizarre charge to come from him. Elections, it appears, are good things when he is the challenger, but bad when he is the incumbent.

Messrs Napier and McIntosh are no fools. But neither has anyone seriously accused Messrs Mathews and Sayer of doing their jobs badly. The profession may wonder why they should be ejected from office in favour of those who so recently were so active in putting them there.

● The author is a former President of the Law Society.



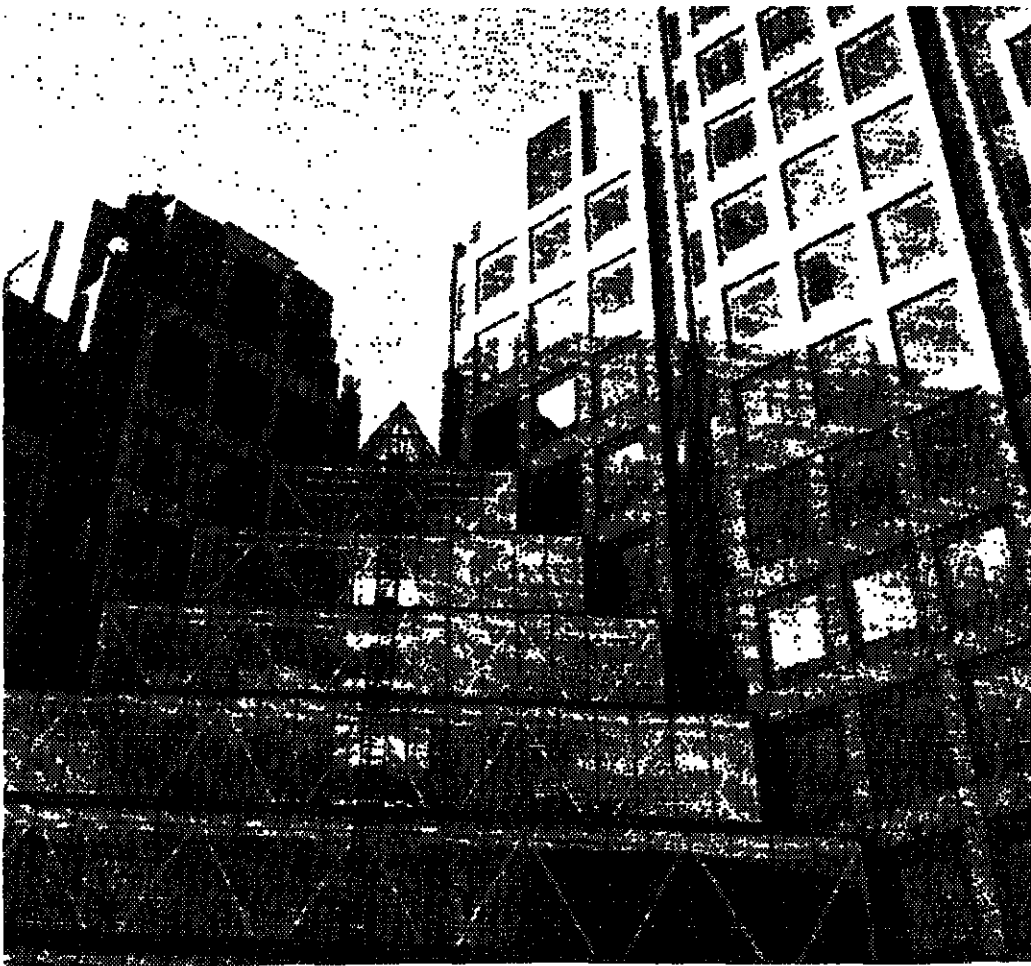
Mathews and Sayer were fit to lead the profession last year, why are they unfit this year? Messrs Napier and McIntosh seem to have difficulty in answering these questions.

Most solicitors will find it hard to distinguish between the rival wares on offer. Messrs Mathews, Napier and McIntosh are all insiders espousing more or less identical policies. Mr Sayer remains an anti-establishment man at heart but even among his own associates he is a minority of one. As deputy Vice-President and treasurer, his influence has been negligible — why should his promotion to the vice-presidency make any difference?

What do the contenders have to say for themselves? Mr Napier, the senior partner of

## THE KEY ISSUES FOR CLIFFORD CHANCE

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Our client is a licensed Bermuda Trust Company which maintains a personalised service to exclusive clientele in the field of international trusts and trustee services and is affiliated with major companies throughout the world. This company is now seeking to appoint a UK-qualified lawyer with between 3 and 6 years' post qualification experience in trusts and tax to join its operation in Bermuda.

The role involves maintaining the daily work flow of an international trust portfolio, dealing with matters of taxation and trusts as they arise and drafting legal documents such as agreements and prospectuses.

You will have both taxation and trusts experience gained in private practice, at the bar or in-house and, in particular, will have experience of international personal trusts. Strong drafting and advisory skills are necessary and a second European language would be an advantage.

The successful candidate will be a self-starter with strong organisational, communication, management and people skills with an ability to deal with and develop a demanding work load as a member of a small, energetic team. You will also have the aptitude and ability to manage a portfolio whilst maximising the business development opportunities presented by this role.

This is an outstanding opportunity to build a career in the increasingly challenging financial services area and to develop a senior management position.

For further information, in complete confidence, please contact Samantha Main on 0171 405 6082 (0171-221 5528 evenings/weekends) or write to her at QD In-House Legal, Confidential fax 0171-831 6394.

QD In-House Legal  
37-41 Bedford Row  
London  
WC1R 4JH

This assignment is being exclusively handled by QD In-House Legal, and any direct or third party applications will be sent to them.

London Birmingham Leeds Manchester Hong Kong Paris New York Sydney Melbourne Toronto Vancouver

QD

## TOP OPTIONS

**CORPORATE/COMMERCIAL** To £70,000  
The top 10 City firm is a market-leader in cross-border corporate work, a fact that will ensure a corporate/commercial lawyer with 2-5 years' p/qe gains all the experience needed and more. Experience of takeovers, equity issues, floatations and other Yellow Book work please. Ref: T23111

**CORPORATE/COMMERCIAL US FIRM** To £80,000+  
The recently established London office of this US firm makes a very attractive proposition: a superb salary for a corporate/commercial or partnership finance lawyer with 1-4 years' p/qe in return for the ability to develop a practice and specialise of your own with international clients. Ref: T42063

**KNOW-HOW** To £65,000  
This leading international firm takes know-how very seriously, a fact reflected by the seriously good salaries on offer to corporate, finance or employment lawyers with 3+ years' p/qe who join its know-how team on a full or part-time basis. You can also continue some fee-earning work if you wish. Ref: T46998

**CONSTRUCTION** To £55,000  
A 2-4 years qualified construction lawyer will work with minimum supervision on a mix of contentious and non-contentious work at this top 10 firm's market-leading construction team, including building contracts, development agreements, PFI work and contract disputes. Ref: T29599

**IP/IT US FIRM** To £100,000  
Not only will you sign up to the many benefits of US firms at this top practice's London office, including extraordinary pay and partnership prospects within a couple of years, but you will also enjoy one of the world's leading non-contentious IP/IT practices if you have 3-6 years' p/qe. Ref: T41267

**CORPORATE JUNIOR US FIRM** To £70,000  
Fantastic pay, international work and loads of travel as you see your clients through personally - this US firm's high-profile London office is a great place for a corporate lawyer with 0-2 years' p/qe to take an immediate and gain leap up by handling a top quality transaction workload. Ref: T50063

**BANKING** To £85,000  
Ambitious lawyers will find a sympathetic home at this well-known medium-sized City firm, which is building up an impressive banking and acquisition finance practice on the back of several major bank clients. The prospects for a 4-6 years qualified banking lawyer who helps are great. Ref: T29593

**EMPLOYMENT** To £75,000  
The employment lawyer with 4-5 years' p/qe in contentious and non-contentious work will enjoy a tasty mix of high-profile corporate-related work at this top 15 City firm, including advisory matters, transactional matters and litigation. Real prospects too if you have company experience. Ref: T1158

**TAX/BENEFITS** To £60,000  
There are many benefits to joining this vibrant top 10 City firm, which should make your decision to move less than taxing. Already highly-regarded, it continues to expand both in size and reputation, making it perfect for an ambitious tax/employee benefits lawyer with 2-4 years' p/qe. Ref: T29825

**PARIS** To Partnership  
On the 14th. Having conquered much of the City and England generally, this leading national firm is now looking to Europe and needs senior M&A/general corporate lawyers to help expand its presence in Paris. Forget the exciting work challenge, you are guaranteed 3 great life in Paris. Ref: T50182

**ENERGY** To £78,000  
You will hit the career geyser at this top 15 City firm, which already has a top reputation for energy work and is looking to improve yet further. It offers a 4-6 years qualified lawyer with up and down stream oil and gas experience every chance to prove yourself as a potential partner. Ref: T45873

**IP/IT** To £55,000  
Not only is this high-profile City firm at the forefront of innovation in legal services, but it also has excellent clients, making it a good proposition for ambitious IP/IT lawyers with 0-2 years' p/qe who want to develop their own specialisations. The exciting prospects make it even better. Ref: T46234

For further information, in complete confidence, please contact Michelle McGee on 0171-405 6082 (0171-732 0475 or 0171-295 1441 evenings/weekends) or write to them at QD Legal, Confidential fax 0171-831 6394.

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## IN-HOUSE VACANCIES

FIXED INCOME/EQUITY STOP CITY £60,000

This leading US investment bank seeks a 2-5 year qualified lawyer from one of the top 10 City firms with experience of a wide range of derivatives and lending transactions. Working closely with the business, you will advise on all aspects of equity and fixed income sales and trading transactions. Excellent remuneration and a dynamic working environment. (Ref: 23888)

SECURITISATION £70,000++

Excellent opportunity in a front office role at a prestigious American investment bank. Our client is looking for a securitisation specialist with 1-4 years' p/qe to take on a transaction management role. You will be involved in the structuring of deals as well as execution. Additional experience in general capital markets work is desirable. (Ref: 23227)

IT/GEN COMM. £55,000 + BENS

Dynamic, acquisitive, NYSE listed company that provides a range of software-related and other services, seeks a 4-6 year qualified lawyer to join its legal team. You will be responsible for supporting a spread of commercial issues, with an emphasis on IT and will enjoy a high level of autonomy. The rewards will reflect the importance of this role. (Ref: 23440)

GEN CO/COMPETITION £35,000

Superb opportunity for a bright, enthusiastic 0-2 year qualified lawyer from a top 20 London firm, to join the legal team at one of the household name plc's. The work will be a broad commercial mix and with particular emphasis on competition law. You will receive the support of a close-knit team and exposure to senior management. (Ref: 23357)

For further information in complete confidence please contact Lizzie Orange or Debbie Offenhack on 0171 523 3822 (0181 740 4108 evenings/weekends). Alternatively, please write to ZMB Industry, Recruitment Consultants, 37 Sun Street, London EC2M 2PY. Confidential fax 0171 523 3823. E-mail lizzie.orange@zmbgroup.com ZMB Industry, a Zark Group Company.

CO/CO FTSE 100 £60,000

Central London based PLC, with a well-respected legal department needs 3-4 year qualified lawyer with company/commercial experience from a top 10 firm, to advise on joint ventures, complex contracts, product development and risk management. The company has a non-hierarchical legal team, and encourages lawyers to move into business roles in due course. (Ref: 23270)

TAX CONSULTANCY SALARY+OT

Top six accountancy firm, renowned for the quality of its clients and attention to individual career progression, seeks a number of lawyers wanting a more commercial role to join its tax practice. Unusual opportunity for both newly qualified solicitors and barristers and more senior tax/pensions/employment lawyers, to move to a front-line position in a professional environment. (Ref: 23864)

IT - CAMBRIDGE £35,000

This thriving IT company in Cambridge has an opening for a 2 year qualified IT lawyer to join them. You will be part of a very dynamic environment and an organisation that is at the cutting edge of all developments in the IT sector. There are real possibilities to move up and out into the business and the ethos of the company means that bright and energetic individuals are rewarded. (Ref: 23446)

JNR LITIGATION £28,000 + BENS

Leading mutual manager is looking for a newly qualified Barrister or Solicitor to join one of its syndicates to deal with claims and a range of commercial issues. Experience of the shipping/insurance industry would also be useful. This is a front line, commercial role and would be an excellent first in-house move. (Ref: 23364)

ZMB INDUSTRY

**CORPORATE/COMMERCIAL - 0-2 Years' P/QE** London  
This friendly atmosphere at the recently established London office of this major international law firm is truly unique and, as the corporate department continues its recruitment drive, personality remains as important as excellent academic skills. To junior lawyers our client offers a very broad range of international corporate/commercial work with top rate salaries. Ref: 6370. Contact: Scott Gibson.

**COMMERCIAL PENSIONS LAWYER** New Zealand  
This New Zealand firm is seeking an assistant to provide commercial advice with an emphasis on superannuation (pensions), investment products and related insurance issues. The successful applicant will have 1-4 years' legal experience with exposure to, or an interest in trust law. Strong written and verbal communication skills essential. Ref: 6793. Contact: Scott Gibson.

**PERSONAL INJURY SPECIALISTS** 2-7 Years' Experience  
High remuneration. This practice requires two dedicated personal injury lawyers. An exciting workload of RTA, EL and PL work currently produces a substantial fee-income. The firm has attracted excellent staff and wishes to maintain this emphasis on quality. Ref: 4585. Contact: Scott Gibson.

**CONTINUOUS CONSTRUCTION - AUSTRALIA** 4-6 Years' P/QE  
This leading Australian firm with a substantial contentious construction and arbitration practice seeks two mid-level associates to help lead and manage teams currently handling a range of disputes arising from numerous domestic and international projects. You will either be looking to return to your native country or have gained your experience in a high profile City firm. Ref: 6311. Contact: Peter Goodwin.

**CORPORATE SUPPORT LAWYER (PARIS)** 3 Years' Min. P/QE  
Staffed by both English and French lawyers, the Paris office of this top ten City firm forms an integral and important part of its international service. As part of the 24 strong international team of professional support lawyers, your role will include inter alia: handling fee-earners abroad; changes in the field and coordinating the preparation of external marketing materials. You will have fluent French and ideally be French qualified. Ref: 6904. Contact: Peter Goodwin.

**CORPORATE TAX IN US FIRM** 4-6 Years' P/QE  
With an even split between their twenty UK and US qualified lawyers in London, the firm wishes to recruit a mid-level associate who will work closely with the multi-disciplinary teams currently involved in managing the tax aspects of M&A, corporate restructuring, project finance and trading of financial instruments. Prior structured finance experience advantageous. Ref: 6882. Contact: Peter Goodwin.

**PLANNING** 0-3 Years' P/QE  
This leading planning practice in City, with particular strength in the retail sector, seeks a junior assistant to handle big-ticket, cutting-edge planning work of unparalleled quality. This very busy department has over 15 lawyers and is headed by numerous leaders in the field. Applications from those in private practice or local authority backgrounds welcome. Ref: 6900. Contact: Jane Glasbeug.

**BANKING/COMMERCIAL LITIGATION** City  
One of the Nation's leading litigation practices is seeking to hire an outstanding individual to focus mainly on banking litigation but also to tackle other commercial disputes. The successful candidate is likely to be at a major London or regional law firm and have proved themselves by working on complex disputes with an international flavour. 3-4 years' p/qe. Ref: 6425. Contact: Jane Glasbeug.

**PRIVATE CLIENT** Partner Development  
This Central London firm's thriving private client department is widely acknowledged as going from strength to strength and is one of the leaders in the field. The department consists of 25 fee-earners and a lawyer with 3-7 years' P/QE is now sought with broad expertise in law, both UK and off-shore. There are real partnership prospects for the right candidate - a following is not essential. Ref: 6353. Contact: Paul Stammers.

**FINANCIAL SERVICES** 1-5 Years' P/QE  
A top City firm that everyone wants to work for, seeks a FSA lawyer to join its friendly team headed by 5 partners renowned for their high quality advice to handle all matters relating to the financial services industry including compliance and regulatory issues and the establishment of collective investment vehicles. Ref: 4728. Contact: Paul Stammers.

**PROJECT FINANCE - IN-HOUSE** London  
At 6778 years' qualified you don't have to climb the greasy pole to partnership, instead join this exciting American-owned company which is involved in the financing of energy and infrastructure projects and work on the front-line with the business people. This is the first legal appointment outside the US and offers a real challenge to a commercial lawyer with strong project finance experience. Ref: 6626. Contact: Paul Stammers.

**TREASURY/CAPITAL MARKETS - IN-HOUSE** City  
Join the 6 strong legal department at a division of one of the leading international banks. You will be involved in dealing with foreign exchange trading, currency options, repo and stock lending arrangements and structuring, executing and documenting a wide range of OTC derivative transactions. 4-8 years' p/qe. Ref: 7090. Contact: Paul Stammers.

**SENIOR LAWYER - COMPUTER INDUSTRY** West London  
A high profile and extremely successful US computer company seeks to hire a senior lawyer, probably 8-12 years' qualified for a key role in their European operations. The successful candidate will almost certainly be working in-house in the IT sector and will be ready to embrace the challenge of a newly-created role, working closely with the European Council. Ref: 7092. Contact: Andy Poole.

**LAWYER - COMPUTER SOFTWARE** Berkshire  
Leading brand name software company needs at least one further lawyer for their UK legal department. They are fairly open-minded about background as long as you are familiar with contracts and have gained some experience of intellectual property issues. The real imperative is to find someone who is commercial, committed and hard-working. 2-6 years' p/qe. Ref: 6900. Contact: Andy Poole.

**TELECOMS/REGULATORY AFFAIRS** London  
(c. 2-3 Years' P/QE) IN-HOUSE  
Pan-European telecoms company have a new position for a lawyer with telecoms experience including regulatory affairs exposure. The organisation takes a dynamic and strongly commercial approach, has significant City backing and is enjoying a successful period of growth. The company is looking for a candidate to match its ambitions and commitment. Ref: 6865. Contact: Richard Green.

**CO/CO (2-3 Years) IN-HOUSE** Middlesex  
In-house "blue-chip name" is looking for a commercial lawyer. The role will involve reviewing contract terms and business, general advice on contracts, handling/execution agreements, disputes resolutions. This is a highly commercial role needing a positive and flexible approach. The company has much to offer in terms of career progression and experience. Ref: 6313. Contact: Richard Green.



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## PRACTICE IN-HOUSE

**Property Lawyer** Bermuda  
This well known offshore practice has a vacancy for a property lawyer with at least 5 years' p/qe to handle a caseload of unregistered work, the large proportion of which will be domestic conveyancing. This is an excellent opportunity to experience property work in a different and very attractive jurisdiction. Contact Jane Foster. Ref: 3200

**Finance Lawyer** Hong Kong  
This leading offshore law firm requires a confident and ambitious finance lawyer with between 2 and 6 years' p/qe experience in any of the areas of capital markets, securities, structured finance or general banking to work in its successful Hong Kong office. The firm handles an excellent quality workload and the remuneration is exceptional. Contact Jane Foster. Ref: 3381

**Cayman Islands**  
We are currently handling a number of vacancies for firms seeking to recruit in this attractive offshore location. If you have ever wanted to know more about the possibilities that exist in this jurisdiction contact Jane Foster for an informal chat.

**Employment** E04  
This international law firm currently has an exciting opportunity for an employment lawyer with 2-5 years' p/qe to join its well respected employment group. You will have pure employment experience. Contact Jane Foster. Ref: 3371

**Company/Commercial** W1  
This large, well known West End firm which handles City-type work is currently interested in meeting company commercial generalists with 1-6 years' p/qe who are seeking a change of environment whilst wishing to maintain a broad, high quality caseload. Contact Jane Foster. Ref: 3151

**Senior Private Client Lawyer** Essex  
Our client is regarded as one of the leading practices in Essex with a client base including plc's, private companies and high net worth individuals. They require a senior private client lawyer (but with a commercial approach and attitude) to handle high quality work including wills, trusts and estate planning with some probate. There are excellent prospects. Contact André Field. Ref: 755

**Newly Qualified Company/Commercial** Covent Garden  
Our client is a well known and highly successful West End Practice with an excellent client base. This is an opening for a bright newly to 1 year qualified company/commercial lawyer looking for excellent quality work without over specialising. Matters handled by the department are varied. Contact André Field. Ref: 3275

**Head of Litigation for Europe** London or Paris Based  
This is surely the best in-house position on offer for a senior litigator in Europe. If you have 10 to 15 years high quality commercial litigation experience from a top tier UK or US law firm please contact Naveen Tuli. Ref: 3385

**Spanish, German, Swiss & Italian Lawyers**  
If you have qualified in any of the above jurisdictions and have gained between 2 and 6 years general corporate and commercial law experience from either a well known law firm or in-house environment, please contact Naveen Tuli who is currently handling numerous assignments from US multinationals in Madrid, Stuttgart, Zurich and Milan.

**Newly Qualified - In-House** Berks & London  
We currently have assignments from two clients, one an international firm of consulting engineers and one the world's largest consumer and business services company. Both require newly to one year qualified lawyers with good general commercial skills and a business orientation. Contact Rachael North. Ref: 3382 & 2833

**General Banking** European Investment Bank  
This prominent European investment bank seeks a young ambitious banking lawyer with 2 or 3 years' experience to work on all kinds of debt financing, including corporate banking, property finance and project finance. Please contact St. John Whitte. Ref: 3384

**Fund/Asset Management** Leading Investment House  
This leading investment house has a number of opportunities for financial services lawyers with a minimum of 3 years' experience in either UK or European asset management. Please contact St. John Whitte. Ref: 3380

**Telecoms - Junior Commercial Role** London  
An exciting opportunity has arisen for a bright, commercially minded lawyer with between 6 months and 2 years' experience to join this dynamic telecommunications company. The successful candidate may have telecoms experience but must have strong commercial skills and ideally an in-house background. Contact Rachael North. Ref: 3100

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Can you help me? I have been convicted of an offence I did not commit. My ex-husband has set me up and forced witnesses to lie for him in court. He threatened them with violence if they did not assist him. I desperately need someone to help me prove that I am innocent. Can you help?

This person may not have a great understanding of law but knows there's a question over their conviction and sentence. The Criminal Cases Review Commission was established with exactly this purpose, to investigate suspected miscarriages of criminal justice. This drives all that we do. Responsibility for investigating cases falls on the shoulders of a select team of Case Review Managers: people who understand the law and the criminal justice system. They combine a sharp and analytical mind with tenacity and rigorous investigative skills in a practical, team oriented environment. Moreover, they are interested in justice and not just making a 'case', even though the ability to communicate views, findings and recommendations clearly and persuasively, both orally and in writing is paramount. Whilst not necessarily a trained lawyer, you must have experience of handling complex cases and possess a working knowledge of the criminal justice system. This may represent a change in direction for you, but for the right individual will provide demanding, rewarding and thought provoking work, the implications of which reverberate soundly on many different levels. So, if you're looking to do real justice to your skills and want the opportunity to develop them even further, get in touch. Applications are being handled exclusively by our retained consultants. For an information pack and details of how to apply call Gregory Wood on 0121 233 1060. Closing date for completed applications is Wednesday 1st July 1998. Previous applicants need not apply. These positions will initially be made on the basis of a three year contract with the possibility of subsequent renewal.

Criminal Cases Review Commission  
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THE TIMES TUESDAY JUNE 16 1998

CHAMBERLAIN PROFESSIONAL

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M25/M40

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**Amateur recruitment**

We often see good law firms lose the candidate they want because their recruitment techniques are amateur and catched.

Two examples. A profitable private client firm in Hampshire called our candidate in for a second time to be seen by the heads of department. The candidate found himself seated with his back to the window facing six impressive older partners. A friendly offer of tea or coffee would have softened the impact. Instead, the partners launched into a series of questions read from a predetermined list. Much as he liked the firm, this experience turned him off it completely.

Equally alienating was the firm which, having described at the interview an exciting role building the firm's business, wrote the candidate a stoddy drafted letter setting out the basic employment terms and failing to mention any aspects of this larger role.

Law firms need to polish up their style. But candidates themselves must be careful not to let initial impressions put them off. Partners in the smaller firms lack recruitment experience, and shouldn't be compared with the hugely resourced large firm personnel departments.

Michael Chambers

CHAMBERS' DIRECTORY  
Our legal directory is available from eBooks, (01403 - 710 971)

**INDUSTRY** Sonya Rayner, Morwenna Lewis, Aileen Shepherd, Fiona Boxall

**Share Schemes/Corporate:** London City based company seeks lawyer 1-3 years' ppe to handle ESOP's, bonus schemes, tax and finance matters. Prior experience not necessary. Could suit corporate lawyer looking for a change.

**NQ - 2 years:** London Rare opportunity for junior lawyer with 0-2 years' ppe to join household name retail company assisting Head of Legal Affairs with varied commercial/ITP employment caseload.

**Commercial/IT:** Berks Multi-media co is expanding its legal dept to include a lawyer c. 3-5 yrs' ppe with exp of IT & general comm matters. Exp of multi-jurisdictional wk an advantage.

**PRIVATE PRACTICE LONDON:** David Woolfson, Paul Thomas, Emma Ridley  
REGIONS: Noel Murray, Hedley Walsh or Kate Shelley

**Energy Partner:** City Major City firm, a recognised leader in energy, seeks senior oil & gas solicitor (with existing or growing reputation) owing to substantial client gains. Following not required.

**Banking Litigation:** City A commercial litigator with 2-5 years' ppe is sought by medium-sized firm highly regarded for its forward-looking management style and career prospects.

**Capital Markets:** US Firm London office of premier Wall Street firm seeks 0-2 year qualified solicitor for its English law team. Top quality securities work. To £70,000.

**Commercial Property:** City Enterprise zone development and investment work offered by leading medium-sized City firm to 1-3 year qualified solicitor.

**Insolvency:** City Snr solr sought by premier practice for non-contentious work with an international element. Opportunity to form a part of an expanding, high profile team.

**Music/IP:** Head of Legal Music rights organisation seeks lawyer min 5 years' ppe with excellent copyright experience. Role involves lobbying, EU, contentious and non-contentious IP and enjoys a high profile within the record industry.

**Corporate Construction:** City Acquisitive services company seeks No. 2 to handle its acquisitions and construction contracts and day to day legal matters. Attractive remuneration package and working environment.

**Professional Services Company:** City Major intl co requires expd sol, min 5 yrs' ppe, to handle engagement letters, risk management and negotiation of cross border contracts. Excellent prospects and package.

**Project Finance:** US Firm Leading international project finance practice with powerful Anglo-American London-based team seeks 2-3 year qualified solicitor. To £75,000.

**Litigation Partner:** West End Medium-sized practice seeks partner to head established department. A high return on billings will be paid (e.g. a £150k following will generate a £70k income).

**Planning and Environment:** City Friendly medium-sized firm with award winning training and development programme seeks 2-5 year ppe solicitor for expanding department.

**Professional Support - Pensions:** City Large City firm seeks pensions lawyer with 2 years' ppe plus to continue utilising their skills on a non-fee earning basis. Broad know-how role.

**Commercial Property:** Surrey Joining one of the most highly rated central prop teams outside of the City you will be an ambitious solr c. 1-5 years' ppe. Ability to market/develop business preferred.

**Assistant Company Secretary**

M25/M40 INTERSECTION £ EXCELLENT + CAR + BENEFITS

**Company Profile**

Our client will be a UK quoted PLC in the food sector following a demerger from a larger 'Top 150' company in the last quarter of 1998.

On a freestanding basis its turnover will be in excess of £400 million and future growth is prospective within its UK and continental European markets.

**Role**

Reporting to the Finance Director (who will also be the Company Secretary) and based at the head office in the M25/M40 intersection area, an Assistant Company Secretary is now required to handle most aspects of the company secretarial function.

As a member of a compact head office management team, you will be responsible for statutory and Stock Exchange compliance, most meetings, share schemes, liaison with the external registrars and brokers, annual report and providing professional advice to colleagues.

**Candidate**

Dynamic, keen to achieve and technically competent you will be professionally qualified (ACIS/Lawyer) with at least 3 years' company secretarial experience gained within a listed PLC environment.

You will possess the credibility and self-confidence to operate on a near autonomous basis as a respected manager in a highly commercial organisation.

Diplomacy, good work management and a modern approach are all essential.

This is an excellent career opportunity for a bright young professional and your added-value contribution will be rewarded with a very attractive package including car.

Please write in confidence with CV and salary details to Graham Campbell, MSL Search and Selection, 178-202 Great Portland Street, London WIN 6JJ. Tel: 0171-255 2535.

Fax: 0171-637 2965. Alternatively apply on-line via the Monster Board on <http://www.monster.co.uk> Please quote reference: 66510.



SEARCH AND SELECTION

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**Asset Management**

Well-known fund manager seeks experienced lawyer for London-based European Counsel role. Ideally with at least 4 yrs' ppe, candidates will preferably have extensive off-shore trust and investment management experience. Ref: 18182

**Debt Derivatives**

European investment bank with unrivalled global reach seeks a senior debt derivatives lawyer (c.5 yrs' ppe) and 2 junior lawyers (c.2 yrs' ppe) gained from top city law firms, to join this burgeoning department. Ref: 37172

**Compliance/Risk-Management**

Major US bank seeks 2 business-orientated compliance specialists. Working closely with the sales people, the ideal candidates will be around 4-5 yrs' qualified and should have some relevant regulatory experience; personality is key. Ref: 40487

**Finance Executives**

Leading merchant bank seeks 2 individuals for non-legal banking roles within its debt advisory businesses. Candidates should have strictly 1-3 yrs' ppe gained with a leading firm and be committed to a move into banking. Ref: 40058

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We are seeking a Patent Agent and/or European Patent Attorney to join our Intellectual Property Department at Derby. The department has a corporate role managing and protecting the intellectual property of the international Rolls-Royce Group of companies. It deals with a wide range of interesting subject matter, mainly associated with the fields of gas turbine engine technology, power generation, nuclear engineering and materials handling.

With preferably an engineering or related technical background, you will have the ability to adopt a pro-active approach to all aspects of the identification, protection and management of the company's intellectual property.

You will be an effective communicator and have the ability to inspire confidence at all levels within the Company.

Applications are also welcomed from candidates who are part-qualified and expect to qualify in due course.

The rewards and benefits are those you would expect from a major international organisation, including a competitive salary and a benefits package with a contributory pension scheme. Relocation assistance will be available where appropriate.

If you would like more information or an informal preliminary discussion, please contact Mike Gunn on 01332 249457.

To apply, please send your CV and current salary details to Helen Torley, PO Box 31, Moor Lane 14, Rolls-Royce plc, Derby DE24 8BJ.



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**INSOLVENCY**

Partner Level

An experienced specialist is sought to help develop this area of the practice. Individuals sought will have strong business development/rainmaking skills and be keen to and capable of building up this area with the full back up of the firm. Consideration will be given to both individuals or small teams. This is an excellent opportunity to join an energetic team who deal with the broadest range of clients from small entrepreneurial companies to household names.

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RUGBY UNION

# Future of the game remains All Black

FROM DAVID HANDS, RUGBY CORRESPONDENT, IN DUNEDIN

WHEREVER he goes in New Zealand, Clive Woodward will find confirmation of his belief not only in the primacy of international rugby, but also of the desirability of a playing tier between it and club rugby. It will be a constant irritant that the England coach will have to operate within different parameters while he remains in office.

Despite the fears that swept through New Zealand early in the 1990s, that Auckland Warriors and rugby league would eat into their market and that basketball might prove an attraction, the All Blacks remain the focal point for the country's youth — and not just the male youth. David Moffett, the New Zealand Rugby Football Union (NZRFU) chief executive, enjoys reciting the story of the two families where the mothers and children went to the international and the fathers stayed at home to watch the match on television.

When New Zealand assembled in Queenstown on Monday to train for the international with England at Carisbrook here on Saturday,

2,500 turned up to watch them train. "We have had situations where 6,000 have watched the team prepare," Moffett said. "We have a policy of taking the game to the people, so that the kids can see their heroes."

New Zealand will not, therefore, countenance players living overseas as potential All Blacks and are fighting off, primarily from Japan and England, to lure their second tier of players away.

Moffett, a successful Australian businessman who will leave the NZRFU after the 1999 World Cup, makes the distinction between professional and amateur players, with which English rugby has yet to come to grips. "There is a tension between the professional and amateur games, which has caused reaction around the world," he said. "We have it here. We have a group of players in the National Provincial Championship who think they are professional but they are not."

"You are a professional player in New Zealand when you get a Super 12 contract. I would argue that in England

you don't have 1,000 players you can call professional, but that's the number required now that you have 28 clubs in the [Allied Dunbar] Premiership. You have to get people to understand where professional rugby begins and ends."

New Zealand have gone further in cold-eyed recognition of what they perceive as reality. Having seen some smaller unions go close to bankruptcy, they now acknowledge a situation in which some country unions will never join the high-fliers; thus a union like Wairarapa-Bush, which produced Brian Lochore, that outstanding All Black No 8 and captain, is regarded as a "feeder" province to Wellington.

Yet no matter which country, it will be the international and top tier of professional organisations that will drive the game. Moffett argues, and few would disagree. The debate that has rent English rugby is whether the leading clubs can occupy that secondary category. "Inevitably, in a free market, you will lose players," Moffett said, "but if you want to be serious about being the No 2 sport in the world, there have to be changes."

Already the Sanzar (South Africa, New Zealand and Australian) unions, who meet in Cape Town next month, are looking at potential markets elsewhere in the world. Delegates from Japan and the United States have been invited and there is talk of exhibition matches being played by the tri-nations countries in North America as the southern hemisphere, dismayed by the weakened British teams this summer, examine the alternatives.

Moffett is not the only administrator who suspects that, should England's investor-owners withdraw their cash, the English game could crumble. The trick for the Premiership clubs is to prove the doubters wrong.

## England face prospect of Lomu once more

JONAH LOMU, who made his twentieth international appearance against England in the 26-26 draw at Twickenham last December, will make his 21st against the same opponents in Dunedin on Saturday (David Hands writes). The wing did enough during his appearance for New Zealand A against England last Saturday to convince John Hart, the national coach, of his fitness.

"We were pleased with him. He did what was required," Hart said yesterday. He is in the happy position of having a strong hand to choose from on the wing: Lomu was named in the original XV alongside Joeli Vidiri, the

uncapped Fijian, who may yet gain his chance before England depart.

Their selection was due to be made after the game early today against a New Zealand Academy XV at Invercargill. Tony Diprose was due to lead England, which suggested that, having captained the side during the 76-0 defeat by Australia, he would not be chosen against the All Blacks, the tour management being more likely to prefer Steve Ojomoh at No 8.

ENGLAND XV: T. Simpson, M. Moore, S. Payne, J. Rossouw, J. Brown, A. King, B. Brown, D. Compton, G. Chute, A. Wood, R. Fidler, D. Sims, B. Sturmann, L. Moody, A. Davies (captain), R. Phipps, S. Ravenscroft, J. Whetton, P. Richards, R. Pook-Jones, D. Greenwood, W. Green, R. Cochrane



Scott Murray, right, the Scotland lock, claims the ball during lineout training in Brisbane yesterday

## Scott joins Scotland party in Australia

SCOTLAND confirmed yesterday that Gavin Scott will be the replacement hooker on their tour of Australia for the injured Gordon Bulloch. Scott, who plays for Dundee HSPF, had an outstanding season for Caledonia Reds that propelled him to the Scotland replacements bench during the Five Nations Championship.

Wales have included both of the recent replacements to their African tour in their team to play Border in East London this afternoon. Geraint Evans, the uncapped Neath player, will partner Mark Taylor in the centre, while Geraint Lewis will take his place in the back

row alongside his club colleague at Pontypridd, Martyn Williams.

Nick Mallett, the South Africa coach, has said that Keith Wood, the Ireland hooker, should have been sent off for a "deliberate act of aggression" during the first international in Bloemfontein last weekend. Wood was cautioned for punching, but there was no citing of the player after the game because the referee took action on the pitch. Mallett has announced an unchanged team for the second international.

SOUTH AFRICA: P. Montgomery, S. Torrance, J. Strydom, P. Muller, P. Rossouw, G. du Toit, J. van der Westhuizen, O. le Roux, J. Dutton, A. Corvey, K. Otto, M. Andrews, J. Erasmus, A. Venter, G. Taitheam (captain).

GOLF

## Rose gets chance to bloom again

BY PATRICIA DAVIES

THERE are three old hands and five newcomers in the Great Britain and Ireland team that will defend the Curtis Cup against the United States at the Minikahda Club in Minneapolis, Minnesota, on August 1 and 2. The experience is supplied by Alison Rose, Elaine Ratcliffe and Karen Stupples, all of whom played in the victory at Killarney two years ago, with Rose winning all four of her matches. The former Scottish and British champion has played comparatively little this year, but she and Ratcliffe, who won the English championship last month, demanded inclusion.

Stupples, beaten by Ratcliffe in the semi-finals of the English, was consumed by pre-selection nerves in the British championship at Little Aston last week and failed to qualify for the matchplay stages. Now she has time to calm down and show that her selection was justified.

The newcomers include Kim Rostron, an unflappable Lancastrian, who won the British title on Saturday; Becky Morgan, the Wales international, who was runner-up in the British championship two years ago and won ten collegiate titles in the United States; and Rebecca Hudson, of Yorkshire, the youngest member of the team, who was 19 on Saturday. All three represented Great Britain and Ireland in the Vagliano Trophy match against the Continent of Europe last year.

Hilary Monaghan, the Scottish champion in 1995, and Fiona Brown, the Spanish champion, from Cheshire, surely confirmed their places by reaching the semi-finals at Little Aston.

TEAM: F. Brown (Prestwick), R. Hudson (Wharfedale), H. Monaghan (Prestwick), B. Morgan (Monmouth), E. Ratcliffe (Wharfedale), A. Rose (Killarney), K. Rostron (Cheshire), K. Stupples (Royal Cinque Ports), Rosevear: E. Phipps (Celtic Manor), S. O'Brien (Pilkington), A. Lister (Vale of Levens), L. Nicholson (Prestwick), West: L. Nicholson (Prestwick), West: L. Nicholson (Prestwick), Captain: I. Butler (Em Park), Vice-captain: G. Cadden (Buckham Castle).

## FORTHCOMING COMPANY GOLF DAYS

The companies listed have registered their golf days for the 1998 challenge. The top four individual scores on the day will form the company team eligible to qualify for a regional final.

Date	Company name	Venue	Players
11 JUN	SMART MANUFACTURING LTD	SAUNTON SANDS	30
12 JUN	HARTWELL MOTOR CONTRACTS LTD	RAG COUNTRY CLUB	50
13 JUN	BRITISH AIRWAYS CLUBS SOUTH WALES	ALICE SPRINGS	30
13 JUN	TULLETT & TOKYO FIREX INTERNATIONAL	CAMBRIDGESHIRE	40
15 JUN	AEP LIMITED	ERLESTONE SANDS	150
15 JUN	CONNELL ESTATE AGENTS	ROYAL WINCHESTER	24
15 JUN	WELSH RABBITTS	ABERDOVEY	18
16 JUN	BANK OF IRELAND - DONSALL PLACE	ROYAL BELFAST	60
16 JUN	COSENT	ROLLS OF MONMOUTH	18
16 JUN	GENERAL SIGNAL NETWORKS LIMITED	MOOR PARK	40
16 JUN	LAPORTE HYGIENE	KINGS NORTON	50
16 JUN	WNB-HELLER BUSINESS FINANCE LTD	EDGBASTON	40
16 JUN	WINCHESTER WHITE	WENTWORTH	40
17 JUN	COPPING JOYCE	SOUTH HERTS	38
17 JUN	DELOITTE & TOUCHE	BEARWOOD LAKES	40
17 JUN	DEPARTMENT OF ECONOMIC DEVELOPMENT	GREENHORE	24
17 JUN	DOBBAN - HORSMAN	TEESIDE	38
17 JUN	ING BARINGS	THE HEYFORDSHIRE	24
17 JUN	SOMERSET WOODEN SPOON	TALTON & PICKERING	108
17 JUN	TETRA LIVAL	PETERSTONE	28
17 JUN	TITMUS SAUNDER DECHERT	WORPLESDON	28
17 JUN	VIZARD SOLICITORS	BERKHAMSTED	50
18 JUN	BECHTEL LIMITED	TOOT HILL	56
18 JUN	J R TAYLOR AT WHITEHEADS	BOLTON	100
18 JUN	JULIAN HODGE BANK LTD	CELTIC MANOR	80
18 JUN	LEE & PRIESTLEY SOLICITORS	RUDDING PARK	16
18 JUN	ORA ELECTRONICS (UK) LIMITED	MENTMORRE GOLF & COUNTRY CLUB	35
18 JUN	ROBERT WHWELL & PARTNERS	ROTHLEY PARK	18
18 JUN	SAGE FINANCIAL SERVICES LTD	KINGSWOOD	24
18 JUN	THE SUGAR ASSOCIATION OF LONDON	EAST SUSSEX NATIONAL	56
19 JUN	ABEY CARRICK GLEN HOSPITAL ADJUTANT GENERAL'S CORPS	PRESTWICK & SOUTH WILTS	24
19 JUN	CITIBANK DINERS CLUB UK	ST PIERRE	50
19 JUN	COOPERS & LYBRAND	PULTINGS GOLF CENTRE	100
19 JUN	NICS SPORTS ASSOCIATION	LURGAN	116
19 JUN	REUTERS LTD (COLLIMBRA)	HADLEY WOOD	49
19 JUN	SCHROEDER/SKANONIA	WALTON HEATH	48
19 JUN	SIOPTON BUILDING SOCIETY	CRIFEFF	38
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Jordan: winning shot in closing moments

BASKETBALL: BULLS CLINCH SIXTH NBA TITLE IN EIGHT YEARS

Jordan's future still hangs in balance
MICHAEL JORDAN scored 45 points, including the game-winning jump shot with 5sec remaining, as the Chicago Bulls beat Utah Jazz 87-86 in Salt Lake City to win their third consecutive National Basketball Association (NBA) championship yesterday.

YESTERDAY'S RACING RESULTS

Table with multiple columns showing racing results from various tracks like Brighton, Musselburgh, etc.

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CRICKET

Wasim times return to deny valiant Somerset

By MICHAEL HENDERSON

OLD TRAFFORD (final day of four): Lancashire (23pts) beat Somerset (5) by nine runs

LUCKY, lucky Lancashire. Somerset came painfully close to winning this match and no Lancastrian could have grumbled if they had done. Starting the day four wickets down, needing another 224 to win, they lost their seventh man before lunch at 123 and came within a whisker of springing a most improbable surprise. Had Lancashire lost — and they were fretting like mad towards the end — their championship season would have lain in tatters. This was a

after lunch, they cobbled together 51 useful runs and the Lancashire players were looking at one another, wondering how they were going to separate them. Wasim looked at the end of his tether. Rose, who made 47 in the first innings, had enjoyed a marvellous match and now he had the chance to win it. In his first over after returning, Wasim hit Rose's stumps when the batsman chose to attack a ball that he might, in retrospect, have chosen to defend. He had made 56 from 74 balls, playing far better than your run-of-the-mill No.8, and his stand with Trescothick had realised 102 in 22 overs, taking Somerset to within 46 runs of their target.

Even when Mushtaq mistimed a pull to mid-on three overs later, Somerset were not scared. Trescothick was still there and so long as Lancashire showed no inclination to catch him, he would press on. Dropped on 33 by Watkinson at third slip when he flashed hard at Chapple, he was missed again on 61 when McKewen, to the barely disguised frustration of his teammates, split a regulation chance at cover off Martin. Somerset were 22 runs light when that chance was missed and, when Trescothick pulled a six in Martin's next over, to bring the requirement down to ten, they could see their journey's end. With his last throw of the dice, Wasim finally took the edge of Caddick's bat that Martin had searched for, and narrowly missed, and Hegg threw the ball up in celebration. Relief came into it, too. It did not take long in the morning for Lancashire's sloppiness to reveal itself. When Holloway pulled out of an intended hook, Crawley, fielding at point, put down the sort of dolly that schoolboys are ashamed to miss. Perhaps it was precisely because it was so easy that Crawley let it through his fingers. It was an astonishing lapse.

It was Wasim Akram, the captain, who had bowled ferociously on Saturday night, when he took two of the first four Somerset wickets in a torrid spell, who eventually spared them humiliation. He overdid the short ball yesterday and came up against a fusspot in Alan Jones, the umpire, so when he transferred himself to the other end he was fired up, to say the least. Rose and Trescothick were batting with good sense and gumption. In the first ten overs

match they could not lose, yet they almost did and their uncertain performance on the final day should make the captain, coach and players ponder anew the age-old question: why is proper cricket, as opposed to the one-day game, such a puzzling language to them? Mental sloppiness, which has cost them dear in the past, was almost their undoing again. They clearly felt that they had only to turn up yesterday to win. As a result, their cricket, which was so competitive on the first three days, became flaccid and Somerset nearly claimed an outrageous win.

It might just have been a different story had Mark Butcher at third slip been able to cling to a sharp chance offered by



Knight edges a ball from Walsh to Wright, who dropped the chance and left the field with a damaged finger

Smith deepens Lara's gloom

By JOHN THICKESSE

BRISTOL (final day of four): Gloucestershire (20pts) beat Warwickshire (4) by 170 runs

SUCH has been Warwickshire's batting form this season that they probably needed at least 80 from Brian Lara to stand much chance of reaching 302 to beat Gloucestershire when they resumed on 44 for two. In the event, the West Indies captain was out third ball for nought, leg-before to Mike Smith in the fourth over of the day, whereupon Smith and Courtney Walsh flattened the remaining batting in another 80 minutes.

Defeat by 170 runs was crushing and, on paper, ignominious, not least because it was Warwickshire's fourth defeat in six games in a season in which most bookmakers had made them favourites for the Britannia Assurance county championship. Yesterday,

there were mitigating circumstances, however. Some umpires might have given Lara the benefit of the doubt while, as in their first innings, Warwickshire were batting in conditions distinctly favourable to the bowlers.

The weather was overcast for the whole match, helping the ball to swing, but the bounce was more variable yesterday than it had been hitherto, making Walsh all the more difficult to handle. The ball with which he bowled Neil Smith, for example, hardly left the ground after apparently pitching on almost a good length.

Mike Smith, bowling left-arm inswing from over the wicket, made the early inroads, dismissing Giles, the nightwatchman, with his fifth ball and disposing of Lara

with his eighth. The Yorkshireman also claimed the day's third and fourth wickets, having Penney caught at first slip off a ball that held its line, then knocking out Knight's off stump when he shouldered arms to one that looked much too straight to leave, even if it had swung, as Knight anticipated. Lara, angling off his stumps to the leg-side, looked aggrieved to be on the wrong end of the leg-before appeal, but Vanburn Holder, the umpire, had no doubt that the ball was hitting the target and there was no question that Lara was in line, because he had moved across the stumps to play the stroke.

Smith was odds-on then to complete his first five-wicket haul of the year, but Knight's departure at 77 for six was the moment that Walsh moved in. Piper had no defence to a fast lifter, which he pushed to short leg. Welch was yoked and Neil Smith submarined. When Brown, after a spirited resistance lasting 67 minutes, drove Walsh to mid-off, the 35-year-old Jamaican had six for 65 and match figures of 12 for 153, the seventeenth time that he has taken ten or more wickets in a game. Walsh also had two chances missed. Knight in the slips and Welch in the leg trap.

Poorly as Warwickshire are batting — Lara has made only 27 runs in 11 innings and Knight 249 in eight — Walsh and Smith seized their chance impressively as Gloucestershire moved to fourth in the championship. The architect of their victory, however, was Mark Alleyne, the captain, without whose textbook 137 the result would probably have gone the other way.

Bicknell's heroic efforts fall just short

By JACK BAILEY

CHELMSFORD (final day of four): Essex (8pts) drew with Surrey (11)

SURREY'S bid to extend their lead at the top of the Britannia Assurance county championship table, by concluding their fourth victory by an innings, was foiled largely by the weather, but also by an excellent unfinished partnership between Stuart Law and Stephen Peters. After a three-hour break for rain, these two staved off five fierce overs from Martin Bicknell and Alex Tudor before Surrey called off the hunt with a possible seven overs still to be bowled.

It might just have been a different story had Mark Butcher at third slip been able to cling to a sharp chance offered by

Peters off Bicknell, in the third over of the final act. Butcher's left thumb suffered severe bruising and the England camp will be informed today of the after-effects. Otherwise, yesterday's events left Surrey's position at the top unchallenged, just as Essex remain seated uncomfortably at the bottom.

The disparity does not flatter Essex, but in this match the batting and bowling has looked fragile by comparison. Yesterday, Surrey were without Alec Stewart (stomach ailment), Alistair Brown (bruised finger) and Ben Hollis (grip), but they were able to make Essex follow on, 170 behind. After that, they

were hard put to it to keep out Bicknell, bowling at his best.

If he goes on bowling like this, he deserves to enjoy a very good season. He had been out of luck when it came to polishing off the Essex first innings, but now, with the new ball, he made up for it. Grayson, late on his stroke, lost his off stump to the second ball of Bicknell's second over; Hussain, driving, lost his off stump to the fifth.

In Bicknell's fourth over, Darren Robinson, who had played himself in, edged a fast rising ball to third slip. With Tudor firing away at the other end, Ben Hollis was scarcely missed. It took all Law's technique and self-discipline to keep Surrey at bay.

Worthy innings by James in vain

By RICHARD HOBSON

CARDIFF (final day of four): Glamorgan (0pts) drew with Worcestershire (0)

STEVE JAMES, by his feats in championship cricket, continues to demand Test selection. His consistent accumulation of runs for Glamorgan over the past three seasons provides a strong argument for inclusion and a modest A team tour in Sri Lanka last winter surely cannot be held against him during an English summer.

James played masterfully at Sophia Gardens yesterday, only just failing to shepherd his team to victory over Worcestershire. When he was dismissed in the penultimate over, one of four wickets in nine balls for David Leatherdale, Glamorgan's hopes of success went with him. He was both cornerstone and main aggressor in the quest for 16 points and his innings of 152 from 191 balls, full of attractive strokes, included two sixes and 15 fours.

Last month, James scored 227 against Northamptonshire, only for his efforts to pall in comparison with those of Mal Loye, who made 322 in the same game. This time, he played usurper himself, for Tom Moody had earlier completed a century from 147 balls with a straight six before Worcestershire set a target of 282 from what proved to be 58 overs.

Glamorgan demonstrated their intentions by reaching 50 in the tenth over for the loss of Shaw, who dragged a ball from Sheriary into his stumps. James and Dale then added 81 before Waqar Younis, promoted to give the innings further impetus, swung Illingworth into the pavilion, only to perish as he tried to repeat the stroke against Solanki.

Maynard has endured a lean start to the season, but had shown evidence of fluency in the Axa League game the previous day. His present ill-fortune was emphasised by the fact that he lost his wicket when Illingworth deflected a firm push by James on to the stumps at the bowler's end.

Cotter and James then put on 69 in ten overs, but Glamorgan lost their way when the former drove Leatherdale straight to extra-cover and Pettell fell before first ball. In his next over, Leatherdale accounted for Cottrell, caught at long-off, before, crucially, Solanki, a vibrant young cricketer, held a tumbling catch on the square-leg boundary to send back James.

Thomas and Butcher blocked the remaining eight balls and Glamorgan finished 14 runs short.

Yorkshire suffer injustice again

By JOHN STERN

HEADINGLEY (final day of four): Yorkshire (10pts) drew with Hampshire (7)

THESE past few days have turned out to be deeply frustrating for Yorkshire. But for the weather, they surely would have won the Axa League match and would certainly have won this Britannia Assurance county championship match. However, after Saturday's play was washed out, they have ended with nothing but a handful of bonus points and the three for a draw.

Their sense of injustice is compounded by two other factors. The first is that Peter Hartley, who they released at the end of last season, played a part, with a bold drive over extra cover late on, in denying his old county victory. More serious is the expectation that they will miss Chris Silverwood for their fixture against Durham tomorrow, despite the near-certainty that his involvement in the second Test will not extend beyond the carrying of drinks. Yorkshire are expected to urge the England selectors to make an early decision on Silverwood's role at Lord's so that, if he is not required, he can wing his way to Chester-le-Street.

Silverwood made every effort to force a win for his county yesterday and, in the end, it was a close thing. Hartley and James, the Hampshire last pair, held on long enough to make the equation of runs required and overs left an unfeasible one for Yorkshire. The captains agreed to call it a day with five overs of the final 16 remaining and Hampshire on 272 for nine, a lead of 49. Hartley came to the wicket with the lead at 42 and ten overs still remaining after the dismissals of Udal and McLean in the space of four Silverwood balls.

McLean's five-ball innings of eight was predictably eventful. He hit two fours through extra cover before trying an injudicious pull to be caught and bowled off to top edge. The new ball had earlier done for Whitaker, who was bowled by Hutchison.

Play did not begin until 12.35pm because of rain, but Silverwood had Kenway caught behind in the third over of the day. Mascarenhas, having batted 38 balls for a duck in the first innings, decided to revert to his natural game and added 59 with Aymes, the wicketkeeper, whose splendid form this season had yielded centuries in the previous two matches.

Aymes edged Silverwood between Blakey and the first slip, McGrath, when he had 62 and eventually departed leg-before to Stemp for 73, having batted for almost four hours.



University ground vandalised

By THRASY PETROPOULOS

VANDALS have damaged the pitch at The Parks that was to have been used for the match between Oxford University and Middlesex. Obstacles were marked on the playing surface and two holes gouged out of the centre section of the mobile covers, on which all 12 pneumatic tyres were slashed.

This is not the first time a pitch in The Parks has been vandalised. In 1969, anti-apartheid campaigners struck before a match against Wilfred Isaac's XI, a South African touring side.

An adjoining pitch was marked out yesterday, but the run-ups were deemed to be too damp for play. The run-ups on the original pitch might well have been regarded as unfit, too. The first day's play was washed out on Saturday and the match will eventually start today, rain and vandals permitting.

Dick Sula, the head groundsman, said: "We occasionally have vagrants occupying under the covers, but they are not responsible for this because they have never done anything like it before."

"In a sense, they are a blessing because they keep people like this away," he added, pointing to the empty beer bottles left by the side of the pitch, one of which had been broken in order to inflict the damage, which will cost around £1,000 to repair.

YESTERDAY'S SCOREBOARDS

BRITANNIA ASSURANCE COUNTY CHAMPIONSHIP  
Essex v Surrey  
CHELMSFORD (final day of four): Essex (8pts) drew with Surrey (11)

SURREY: First Innings 373 (A D Brown 79, A J Hone 52, J R Batty 52, M C Hill 4 for 64)  
ESSEX: First Innings  
D D J Robinson c Stewart b Bicknell 23  
A P Grayson c Stobson b Tucker 25  
M Hussain c Brown b C Hollis 25  
S G Law c Bicknell b C Hollis 31  
C Brown c Stewart b Bicknell 32  
S D Peters dnb 4  
S P Law c Stewart b Bicknell 1  
J J Roling dnb 1  
B T Law c Stobson b Bicknell 1  
M C Hill c Stewart b Bicknell 9  
J O Gove b Tucker 34  
M C Hill not out 33  
Extras (10, 4, 10, 6, w, 2) 23  
Total (69.3 overs) 203

FALL OF WICKETS: 1-16, 2-49, 3-84, 4-86, 5-99, 6-102, 7-123, 8-169, 9-171  
BOWLING: Bicknell 24-6-68-3, Tudor 12-3-49-2, C Hollis 10-3-23-3, Stobson 19-5-42-2, Batty 4-1-10-0  
Second Innings  
D D J Robinson c Butcher b Bicknell 5  
A P Grayson b Bicknell 1  
M Hussain c Bicknell 1  
S G Law not out 0  
C Brown c Butcher b Tucker 0  
S D Peters, not out 0  
S P Law, not out 0  
Extras (2, 2, 2, 0) 6  
Total 17

FALL OF WICKETS: 1-5, 2-6, 3-26, 4-46, 5-58, 6-77, 7-98, 8-101, 9-108  
BOWLING: Bicknell 11-3-28-3, Tudor 10-4-32-1  
Extras: M J Kitchen and B Leadbeater  
Glamorgan v Worcestershire  
CARDIFF (final day of four): Glamorgan (0pts) drew with Worcestershire (0)

Worcestershire: First Innings 273 (P D Bowyer 72, W K Hogg 54 not out, A R Gardner 4 for 67) Second Innings 236 (Gardner 4 for 67)  
Lancashire v Somerset  
OLD TRAFFORD (final day of four): Lancashire (23pts) beat Somerset (5) by nine runs  
Lancashire: First Innings 267 (J P Crawley 72, W K Hogg 54 not out, A R Gardner 4 for 67) Second Innings 236 (Gardner 4 for 67)  
Somerset: First Innings 236 (P D Bowyer 63, P J Miles 4 for 66)

Gloucestershire v Warwickshire  
BRISTOL (final day of four): Gloucestershire (20pts) beat Warwickshire (4) by 170 runs  
Gloucestershire: First Innings 141 (T C H Henrich 62, E S H Geddes 6 for 79) Second Innings 207 (M W Allove 137, Geddes 5 for 85, A F Giles 4 for 60)  
Warwickshire: First Innings 187 (C A Walsh 6 for 88)  
Second Innings  
M J Powell c Ruzmetov b Walsh 4  
N Knight c Smith 12  
D L Hogg c M Latham b Walsh 12  
A F Giles c Smith 12  
C L Lara dnb 0  
D R Burt c Smith 0  
I J Perry c Ball b Smith 0  
D R Burt c Smith 0  
N J Piper c Windward b Walsh 69  
W K Hogg c Walsh 12  
E S H Geddes not out 7  
Extras (1, 1, 1, 2) 5  
Total 131

FALL OF WICKETS: 1-8, 2-24, 3-56, 4-56, 5-66, 6-77, 7-98, 8-101, 9-108  
BOWLING: Walsh 18-3-175-6, Lewis 7-0-11-0, Smith 14-4-34-1  
Extras: A Clackson and V A Holder  
Yorkshire v Hampshire  
HEADINGLEY (final day of four): Yorkshire (10pts) drew with Hampshire (7)

Yorkshire: First Innings 327 for 9 dec (J Wood 102, M P Vaughan 86, A D Mascarenhas 4 for 31)  
Hampshire: First Innings 104 (C E W Silverwood 5 for 13)  
Second Innings  
G W White c Hutchison 67  
J P Stephenson b Hutchison 1  
R A Smith b Hutchison 13  
D A Kenway c Blakey b Silverwood 13  
G Bennett (6) 1  
A D Mascarenhas c Blakey b Stemp 34  
A R Gardner c Hutchison 32  
M C McLean not out 7  
S D Ussell b Silverwood 4  
N M McLellan c Hutchison 4  
P J Hartley not out 10  
Extras (1, 1, 1, 5, 1, 4) 10  
Total (61 wickets) 272

FALL OF WICKETS: 1-2, 47, 3-25, 4-113, 5-172, 6-229, 7-250, 8-256, 9-258  
BOWLING: Murrell 2-0-18-0, Sharma 12-0-72-1, Haynes 30-20-0, Lammie 6-9-17-0, Murrell 18-2-84-0, Solanki 9-0-36-2, Leatherdale 3-0-16-4  
Extras: J C Bakkenrao and J H Hampshire  
Durham's hopes dashed  
DURHAM'S hopes of winning three successive Britannia Assurance county championship matches for the first time were thwarted when the game against Northamptonshire at Chester-le-Street was called off on the final day because of the rain yesterday.

With Durham 249 for four in reply to 163, David Boon, the captain, had been keen to play to collect more batting points and consolidate second place.

Leicestershire's championship match against Kent at Grace Road was abandoned as a draw yesterday after heavy rain made any hope of play impossible. The umpires made a cursory inspection of the pitch and called off the match soon after the scheduled noon start.



Walsh: took six wickets at Bristol

AXA LEAGUE  
Essex (17) 8 5 1 0 2 24  
Lancashire (13) 7 5 1 0 1 22  
Kent (10) 8 5 2 0 2 22  
Northants (12) 7 4 1 0 2 22  
Warwickshire (15) 7 4 2 0 2 18  
Surrey (11) 7 4 1 0 2 16  
Dorsetshire (14) 6 3 3 0 2 16  
Leicestershire (14) 6 3 3 0 2 14  
Lincs (4) 6 3 3 0 2 14  
Somerset (6) 6 3 3 0 2 14  
Durham (17) 6 3 3 0 2 14  
Gloucestershire (11) 6 3 3 0 2 14  
Cheshire (11) 6 3 3 0 2 14  
Nottinghamshire (10) 6 3 3 0 2 14  
Sussex (18) 6 3 3 0 2 14  
Worcestershire (13) 6 3 3 0 2 14  
Hants (13) 6 3 3 0 2 14  
Surrey (5) 6 3 3 0 2 14  
(Last season's positions in brackets)

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A vertical sidebar on the right side of the page containing various sports-related advertisements and notices. It includes sections for 'SPORTS SERVICE', 'RACELINE', 'ROYAL ASCOT', 'THIRSK', and 'OTHER SPORT'. There are also some smaller notices and advertisements for various sports events and services.



SPORT IN BRIEF

Moriarty given call by Wales

RUGBY LEAGUE: Paul Moriarty is likely to be called into the Wales squad today for the match against Emerging England next month...

More surprising are the inclusion of Lee Briars, the young Warrington Wolves scrum half, who was overlooked by the England selectors...

Rowing: The British men's coxless four, the 1997 world champions, have withdrawn from the second World Cup regatta in Belgium this weekend...

Sailing: An Australian syndicate has proposed moving the America's Cup challenge series next year to Sydney or Melbourne because of growing criticism of the organisation of the event in New Zealand...

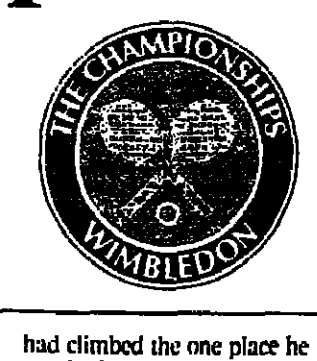
Golf: J P Hayes, a 32-year-old journeyman player who has lost his US PGA Tour playing card three times, earned a two-year exemption from the Tour's qualifying school by defeating Jim Furyk on the first play-off hole at the rain-shortened Buick Classic in New York...

TENNIS: TWO BRITISH MEN GET SEEDED STATUS FOR FIRST TIME FOR 62 YEARS

Wimbledon promotes Henman

By JULIAN MUSCAT TENNIS CORRESPONDENT
TENNIS HENMAN received due reward for his achievements at Wimbledon when he was seeded No 12 yesterday for the men's singles championships...

Men
1, P Sampras (US); 2, M Rios (Chile); 3, P Korda (Cz); 4, G Rusedski (GB); 5, C Moyá (Sp); 6, P Rafter (Aus); 7, Y Kafelnikov (Rus); 8, C Pilić (Cz); 9, R Krajčok (Slo); 10, A Corretja (Sp); 11, J Björkman (Swe); 12, T Henman (GB); 13, A Agassi (US); 14, G Ivanisevic (Cro); 15, K Kucera (Slovakia); 16, F Mantilla (Sp).



Women
1, M Hingis (Switz); 2, L Davenport (US); 3, J Novotna (Cz); 4, S Graf (Ger); 5, A Sánchez Vicario (Sp); 6, M Seles (US); 7, V Williams (US); 8, C Martínez (Sp); 9, A Coetzee (SA); 10, I Spiláková (Cz); 11, M Pierce (Fr); 12, A Kournikova (Rus); 13, P Schnyder (Switz); 14, S Tomic (Fr); 15, D van Rostel (Bel); 16, N Tauziat (Fr).

easier progress through the other. This can lead to severely lopsided draws. Rusedski, with his poor record on clay, found it hard to justify being seeded No 5 for the French Open.

1992 champion (seeded No 13) and Goran Ivanisevic, twice a finalist (No 14), from outside the select 16. Although neither player has established a ranking sufficient to earn automatic seeding...

Had he been seeded No 16, in accordance with his ranking, Henman would have nationally played either Pete Sampras, the top seed and defending champion, or Marcelo Ríos, the No 2 seed, in the fourth round. As it is, he

is looking at a fourth-round confrontation with either Carlos Moyá, seeded No 5, or Par Rafter, a place lower. Players are largely opposed to any tinkering with the world rankings when seeded berths are allocated at grand-slam tournaments...

In the women's singles, Steffi Graf, who dropped off the rankings ladder through inactivity last week, has been seeded No 4 in her quest for an eighth Wimbledon title.

Graf is denied vital practice

By JULIAN MUSCAT
STEFFI GRAF is to resume her Wimbledon preparation at Eastbourne tomorrow after heavy rain washed out the closing stages of the DFS Classic in Birmingham.

she has played just three tournaments in the past 12 months because of knee surgery. She has also recently been plagued by hamstring trouble, but is determined to mount one final assault on Wimbledon next week.



Briton makes early exit

CHRIS WILKINSON'S preparations for Wimbledon were upset yesterday when he went out of the Nottingham Open in the first round. Wilkinson was one of only two Britons competing at the event because Greg Rusedski, the holder, was missing through injury and Tim Henman, a semi-finalist last year, was concentrating on practising.

Yet Wilkinson's involvement in the tournament lasted little over an hour as he was comfortably beaten 6-2, 6-2 by Jordi Burillo, of Spain. Burillo, who is ranked 67 places above Wilkinson in the world rankings at No 90, tormented him with an array of passing shots. The Spaniard had few problems in securing the first set, then broke Wilkinson's serve in the first game of the second set before breaking again to lead 5-2 and then serving out easily to win the match.

Graf receives a bye into the second round at Eastbourne yesterday. Venus Williams and Arantxa Sánchez Vicario, the French Open champion, and will play the winner of the match between Sam Smith, of Great Britain, and Yayuk Basuki, of Indonesia, who was herself held up at the semi-final stage in Birmingham.

Also engaged in Eastbourne this week are Serena Williams, the younger sister of Venus, and Anna Kournikova, the No 6 seed. Kournikova, from Russia, is projected to meet Graf in the quarter-finals. Smith, a wildcard entrant, will be the only Briton in the main draw after defeats in the qualifying round yesterday for Karen Cross and Jo Ward. Cross, the world No 138, extended Amélie Cochetoux, of France, to three sets before succumbing to an opponent ranked 49 places her superior.

Unlike Graf in Birmingham, Kournikova was able to play on a grass court at Eastbourne yesterday

FOR THE RECORD

ATHLETICS

BATTERSEA PARK: British Millers Club invitation races. 800m: 1, M. Morrison (I); 1.46.22; 2, J. McIlroy (Balmain); 1.48.10; 3, A. Hart (Coventry); 1.49.10; 4, D. G. G. (I); 1.50.00; 5, M. O'Brien (I); 1.51.00; 6, J. J. (I); 1.52.00; 7, J. J. (I); 1.53.00; 8, J. J. (I); 1.54.00; 9, J. J. (I); 1.55.00; 10, J. J. (I); 1.56.00; 11, J. J. (I); 1.57.00; 12, J. J. (I); 1.58.00; 13, J. J. (I); 1.59.00; 14, J. J. (I); 2.00.00; 15, J. J. (I); 2.01.00; 16, J. J. (I); 2.02.00; 17, J. J. (I); 2.03.00; 18, J. J. (I); 2.04.00; 19, J. J. (I); 2.05.00; 20, J. J. (I); 2.06.00; 21, J. J. (I); 2.07.00; 22, J. J. (I); 2.08.00; 23, J. J. (I); 2.09.00; 24, J. J. (I); 2.10.00; 25, J. J. (I); 2.11.00; 26, J. J. (I); 2.12.00; 27, J. J. (I); 2.13.00; 28, J. J. (I); 2.14.00; 29, J. J. (I); 2.15.00; 30, J. J. (I); 2.16.00; 31, J. J. (I); 2.17.00; 32, J. J. (I); 2.18.00; 33, J. J. (I); 2.19.00; 34, J. J. (I); 2.20.00; 35, J. J. (I); 2.21.00; 36, J. J. (I); 2.22.00; 37, J. J. (I); 2.23.00; 38, J. J. 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WORLD CUP 98

# Scotland need to discover new place in history

FROM KEVIN MCCARRA IN BORDEAUX

SCOTLAND are up against a daunting record. It is not the one held by Norway, this evening's opponents here, even if Egil Olsen's team is unbeaten in the past 18 months. Whenever Scotland try to look ahead, they find that their own past has crept round in front of them to bar the path. A miserable record at previous World Cup finals looms over the side.

Scotland have travelled to the tournament on seven previous occasions since 1954 and failed in each attempt to get beyond the first phase. No matter how positive players may wish to be, they must occasionally catch themselves wondering whether they are placing their boots in the footsteps of their predecessors. If so, they could march out of the World Cup tonight.

Defeat in the Stade Lescurie here will make it impossible for Scotland to qualify for the second round. That would be particularly galling since all the earlier sides ensured that their hopes were not dashed until the concluding fixture in the group. Those who believe in the existence of a hex might have felt the spell being woven again in the opening match of this World Cup, which was won 2-1 by Brazil.

The result was mundane, but to Scottish minds, the manner of the defeat was sinister, with Tom Boyd's own goal proving decisive. It was as if the foundations of another unlucky summer were being laid.

Against Norway, Scotland will have to recognise the irrelevance of the supposed omens. Their own fate, as usual, will really be decided by the degree of skill and organisation that they show.

The side will need the strength of mind to beat back any sense of foreboding. Sometimes, it is gloom that is irrational. The mistortune of

Boyd hardly invalidates the pleasing aspects of the display against Brazil. Nor does the existence of one accident imply that others must ensue.

There is no indication that the Scotland squad is brooding and Brown said: "We are fitter and sharper than I have ever seen them." However, the players must address certain practicalities.

Scotland do not score enough goals; where World Cups are concerned, they never have. In 21 matches at the finals, they have scored 24 goals and five of them came in a single outing, against New Zealand in 1982. The present dearth is infuriating since Scotland do have cause to

balance. John Collins and Paul Lambert are fine, cerebral footballers, but Brown needs someone who will link more directly with the attack.

For that reason, the way move Craig Burley from the wing to take up the central midfield position he occupies with Celtic. By scoring 15 times for Celtic in that role, he became the Scottish football writers' player of the year last month. There have been few opportunities for him, however, to prove that his talents might have a similar impact at international level.

Brown has appeared to doubt whether Burley will be adroit enough for the congested heart of the midfield. Nevertheless, in the latter stages of the match with Brazil, he did come inside to hit controlled shots.

There was a reminder then that Burley possesses the poise and technique of a forward when allowed a sight of goal. In a friendly game with Colombia three weeks ago, he scored after pushing through from a central position.

In view of the craving to beat Norway, Brown will surely be eager to set out tactics that increase Burley's opportunities. In any case, there will have to be redrafting.

"Norway generally have just one out-and-out forward," Brown said, "and there would be no sense in us having three centre backs marking him."

The manager may employ a back four, with someone such as Paul Lambert to patrol the area in front of it. Burley, in consequence, would enjoy the freedom to roam.

Some Scotland supporters here yesterday bought an inflatable whale in the hope that the Greenpeace connotations might tease the Norwegians. Brown's side will require similar ingenuity and optimism on the field itself.

## TEAMS

SCOTLAND (probable, 4-3-1-2): J. Loughton — T. Boyd, C. Calderwood, C. Henry, G. Daily — C. Burley, P. Lambert, J. Collins — D. Jackson — K. Gallacher, G. Duncanson.

NORWAY (probable, 4-5-1): F. Godeas — H. Berg, D. Egeen, R. Johnsen, S. I. Bjornabye — H. Flo, O. Leonhardsen, K. Ristolai, E. Mykland, V. Roseth — T. A. Flo. Referee: L. Vagner (Hungary).

believe that the general tone of their play has been far more distinguished of late.

Responsibility for scoring lies as much with the midfield as with the attack. Kevin Gallacher, the Blackburn Rovers forward, has little need of excuses, having found the net six times in the qualifying matches for the World Cup, and he deserved an attentive hearing when pointing out that only a few forwards ever score freely in the finals.

The rest have to set themselves to the sweaty duty of making the runs that haul defenders around and leave spaces for them. It is then up to the midfield to flood through them.

In that regard, Scotland are still to hit upon the correct

## Familiarity with our rivals may breed contentment

Footballers do not get too many opportunities to be supporters, but on Friday we had our chance to sit in the stand and watch other players at work. The squad went to Marseilles to watch France's game with South Africa. At half-time, Billy McKinlay and Darren Jackson disappeared before coming back with their faces painted in the colours of the French flag.

When you think of that peroxide hair that McKinlay has got, you will gather that it was not a pretty sight. These bits of fun keep everybody going and we feel that everything has come together for us since the opening game against Brazil, which was a strange, almost artificial situation.

We will be back on familiar ground this evening when we play Norway in Bordeaux. Most of their team are with English clubs and we know all about them as individuals, even if they have different tactics when they are with their country. Norway love to hit long, diagonal balls to attack you, but it would be a big mistake to think that they lack skill.

It makes a difference when everybody on the pitch is used to one another. You cannot be anxious. We are confident and think we can do well. Norway will be just the same. They fancy their chances against us. It is a match that is going to have a big influence on the outcome of the group.

If we lose, it will be impossible for us to qualify for the next round, but there are positive ways of looking at the situation as well. We are sure of our

## CRAIG BURLEY



ability to win tonight, yet a draw might even suit us better. Norway would have two points and Scotland would have one, but their last game in the group is against Brazil. With all due respect, we would feel happier to be playing Morocco that night.

Our group was always bound to be tight, particularly when it came to deciding the runners-up spot. This World Cup has been producing a lot of close games and it will not be easy against Norway either, but we are desperate to be the first Scotland side to qualify from the group stage. Beating Norway would take us a fair way towards achieving that ambition.

There were some reports that Egil Olsen, their coach, had called Scotland the worst team in the group. I am not sure if he actually said it, but that has added a little spice.



Football has been a unifying and liberating influence for the people of Iran as they try to break the shackles of the country's religious traditions

## Iranians revel in new-found freedom

holding aloft their green, white and red football scarf, the attractive young Iranian woman, wearing tight white shirt and black jeans, wiggled her hips provocatively in time to the drumbeat echoing around the stands. Ten rows below her, three women, heads covered with black scarves, sat watching the scene, smiling contentedly beneath their veils and clapping with gusto.

As with many of their compatriots back home in Iran, football for these fans has come to signify new freedoms through its contact with the outside world. The World Cup is the most significant sporting event to challenge Iran's status quo.

They may be the tournament's rank outsiders, but such is the passion for the sport that there are estimated to be about 40,000 Iranian fans in France, hoping against hope that their presence can inspire their team to victory. With their flags, drums, trumpets, tambourines and comic masks, they are determined to enjoy the tournament just as much as other supporters.

The supposed ranks are drawn diversely, some from Tehran, others from Europe, including several thousand younger fans who have made the trip from Great Britain. Among those at the match against Yugoslavia in St Etienne on Sunday, where the team battled valiantly but were defeated 1-0, were Hamid Ahmadi and his

friend, Arash Rashtegan, both 22. They had travelled from London and recalled with glee the night that Iran qualified for the World Cup at the expense of Australia.

"When we qualified, it was like another revolution in Iran," Rashtegan said. "People poured on to the streets in Tehran and women were singing, dancing and even kissing men in public. This sort of thing has never happened since the Shah was overthrown. The success of the football team really captured people's imagination."

"People don't have much to look forward to in Iran and



Iranian supporters have been quick to pick up the rhythms of the World Cup

accompanied by a group of religious leaders. Yet there is no doubt that football is challenging convention in Iran.

"The religious leaders are here because they have to be and to some it is important to thank God for team success," Rashtegan said. "But this has nothing to do with religion, it's to do with sport. Football is for the people."

Since taking power a year ago, President Muhammad Khatami has sought to loosen the religious shackles that tightly bind Iranian society and has taken steps to increase cultural and sporting

ties with the outside world. Yet for Iran's religious authority, the game against the United States on Sunday has significant political overtones, even though the country's football federation has been keen to play down this aspect of the match.

The footballers themselves go even further. Although Iranian officials in France are under instructions from orthodox religious leaders not even to shake the hands of Americans they meet, the players say that they will exchange shirts with the Americans after the match.

For the people of Iran, the World Cup offers a chance to widen the "crack in the wall of mistrust" that President Khatami recently called for and to show that Iran, far from being the terrorist state that the United States has labelled it, is a country whose citizens share many of the same expectations as other countries. "The religious authorities may sometimes be right to criticise aspects of American society and politics, but most of us don't have a problem with America," Rashtegan said.

His friend echoed his sentiment and insisted that the match will have a beneficial effect on Iran's relationship with the United States. "When it comes to the game, the fans will be together before and afterwards," Ahmadi said. "There will be no hostility. The world will be able to see we are not a group of mad terrorists but normal peace-loving people. It is a great opportunity."

## WORLD CUP DIARY

### Churchgoers tune their prayers for Germany

THE Germans have entered the World Cup full of the sort of spirit that should be copied by some England fans. About 300 churches put up giant screens between the pews so their congregations could watch last night's game and pray for the result at the same time.

And such dedication to the cause: gorgeous, pouring Annina, 22, yesterday announced that she will take off a piece of clothing to mark each victory by the national team. The blonde starts wearing shorts, socks and boots, which by our calculations will get Germany only as far as the quarter-finals.

Meanwhile, a local authority in Lower Saxony has started one of those schemes you thought could happen only in Brent: training workshops in watching the World Cup on television.

Most valuable object of the tournament: Footix, the tournament's rooster mascot, covered with 4½lb of gold and 40 carats of diamonds.

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TODAY'S WORLD CUP ACTION			
10/11 NORWAY	SCOTLAND 11/4	2/1 DRAW	2/7 BRAZIL MOROCCO 2/1
Bordeaux, Kick-off 8.20pm, Live in William Hill Shops.			
CORRECT SCORE		LIVE TIME / TIME	
NORWAY 0-2 SCOTLAND	14/1	NORWAY ... NORWAY	2/1
0-1	14/1	NORWAY ... DRAW	12/1
0-0	12/1	NORWAY ... SCOTLAND	13/1
1-0	10/1	DRAW ... NORWAY	9/2
1-1	10/1	DRAW ... DRAW	4/1
2-0	10/1	DRAW ... SCOTLAND	13/2
2-1	10/1	SCOTLAND ... NORWAY	13/1
2-2	13/1	SCOTLAND ... DRAW	12/1
		SCOTLAND ... SCOTLAND	16/1

Other scores on request. Bets void if match not completed.

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WORLD CUP 98

# Shearer delights as every man does his duty

After three nights and a day scarred by les hooligans Anglais, it is clear that England will be lucky to stay in the tournament if the unwanted hoodlums — swarming like angry bees around the old port of Marseilles — are not contained. After a goal from the right boot of Scholes against Tunisia yesterday, it is also clear that England on the pitch are hard-headed, disciplined and making the best of what talents are at the disposal of Glenn Hoddle, the coach.

Tony Adams had been honest before a ball was kicked and admitted that he is uncomfortable in an England backline of three defenders, yet he was commanding again, stretching out a long limb to save the situation on a couple of occasions. Snutgate to

his right, was an honest, grafting if limited defender. Campbell had some stirring moments, midway through the first half for example. Using his body strength and his quite unusual speed, he strode forward 60 yards, like a rhinoceros on the charge — muscle and might from the man who has grown out of the Tottenham Hotspur youth once christened Garth by his England Under-18 team-mates. He looks still like a big man in the adult world, a single-minded athlete who, nevertheless, will have to remember that the first duty of a marking central defender is to secure the retreat.

Indeed, Campbell performed on his breaks like the defender Hoddle covets. The England coach is looking for someone to produce that surprise weapon from the back, but, although

## Rob Hughes declares himself as relieved by events on the pitch in Marseilles as he is concerned by those taking place off it

Campbell did shrug off Adel Sellimi, his immediate opponent, it would serve England better if the "free" defender — Adams, on this occasion — had the legs to make such a charge.

In midfield, Hoddle stuck with his two piranhas, Batty and Ince. Competent, aggressive ball-winners both — and Ince, in the ninetieth minute, was tenacious in the extreme in creating the second goal for Scholes.

The Manchester United player has inherited the mantle of Paul Gascoigne. Gazza he is not — he hasn't the range, or the same ability to split a defence in a moment of inspiration — but

Scholes is busy in the extreme, articulate with his passes, elusive with his runs and, as he showed with that late, sublime, right-footed shot, he can time his strike of the football pretty exactly, too.

Had his earlier finishing — once with the head, when the opportunity was offered by Le Saux, once with a mistimed volley — been similarly ruthless, Scholes might this morning have awoken with a hat-trick. They knight Englishmen for those.

Anderton is the controversy, Hoddle's choice for the right-wing berth over Beckham, over Gary Neville and over McManaman. Yesterday, he proved he was fit

after a tortured season in the North London. He was chosen because he is temperamentally more sound than Beckham, tactically more aware than McManaman, and the options available on that side of the field outweigh anything on the other should injury, or indiscipline, befall Le Saux.

One wonders, yet again, about the lack of pace and incisiveness of Sheringham. At 32, he is not going to get any faster and, but for his speculative shot on the turn, which El Ouair pushed against the bar, he scarcely showed the threat that Michael Owen, 18, could.

The speed of Owen, his presence and dynamism, begged more of a chance than to be called into action when the crowd was buying his name and when England, losing concentration at the end of each half, could have done with an earlier substitution.

The best has been saved until last: Alan Shearer. He foraged restlessly on the right flank and then the left, the captain, by example, seemed determined to prove that he has timed his fitness, his right to be a World Cup name, to England's benefit. For his goal, from Anderton's chipped free kick, he was given the freedom of the Tunisia goalmouth and his header was his easiest since Stevenage Borough gave him a similar one in the FA Cup. Shearer, scoring with his first opportunity and only his twelfth touch of the first half, is becoming to England what Paolo

Rossi was to Italy in 1982: the talisman who will win the day when the match is tight.

So, with relief and with some conviction against opponents who sometimes appeared more comfortable on the ball (don't they all?), England had done the job. It was ruthless, it was efficient and it was hard-headed, as the bandaged Sellimi can testify.

If only England could confine the blood to the field. Alas, as I write these words in the Stade Vélodrome, the sirens are still outside, the unwanted and unwashed so-called tiny minority of English troublemakers are running rife through the streets again, overturning cars, smashing windows, attacking people. Their claim is that the French will not give them tickets; the greater shame is that England has exported them here at all.

# Romania punish Colombia's defensive lapses

WHY should England tremble? Here in Lyons, neither Romania nor Colombia looked remotely like potential World Cup winners, though each has the attacking potential to trouble England's not always concrete three-man defence.

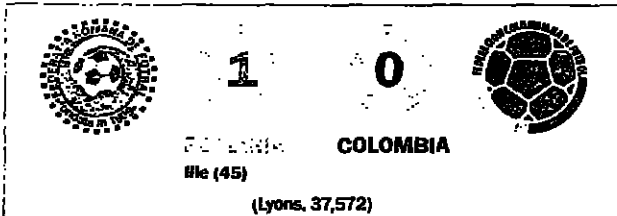
Romania were by and large the better, more composed team, particularly in the first half, when an over-cautious Colombia used only Tino Asprilla, the former Newcastle United player, up front.

Things improved substantially when they brought on Adolfo Valencia, whose late, powerful shot from long distance produced the only notable save that Bogdan Stelea, the Romania goalkeeper, had to make.

Dreadful mistakes in defence by Colombia gave Romania two excellent chances in the first half. They missed the first, but put away the second.

The initial opportunity was a present from Santa. That is the name of the hapless left back whose unforced error allowed the swift and ever-dangerous Adrian Ilie, whom England will have to watch closely, to race through and shoot.

Sarid Mondragon, the goalkeeper who has displaced the former favourite, Cabrera, did very well to block the shot. He also did well to block the follow-up from Moldovan, the Coventry City forward, but



FROM BRIAN GLANVILLE

Moldovan really should have put it away.

There were several distinguished elder statesmen on the field. Among them, for Romania, was Gheorge Hagi, 32, who will end his international career after this tournament. Here, he deployed his famous left foot in midfield, to sporadic advantage.

Colombia, for their part, had Carlos Valderrama, 35, with his familiar mop of dyed blond curls, and his familiar flicks, which now, however, are not backed up with his old ease of movement.

Romania's three-man defence was ably and coolly marshalled by another 30-year-old, the tall and elegant Gheorge Popescu, once considered not good enough for Tottenham Hotspur, but good enough for Barcelona. He is now, like others in the Romania team, playing in Turkey for Galatasaray.

The second ghastly error by Colombia came just before half-time, that crucial psychological moment, and this time

they did not get away with it. Mariuzia Sarna carelessly and fatally allowed himself to be dispossessed by Ilie. The striker ran on and beat Mondragon.

Some minutes before that goal, Moldovan had another chance. A sustained bout of inter-passing by the Romanians did ultimately, if belatedly, have an end product. The other Popescu, Gabriel, eventually found Ilie, his attempt rebounded and Moldovan headed the ball narrowly wide.

Colombia were strangely erratic and inaccurate, at times both, with their passing and their shooting. At half-time Hernán Dario Gomez, their coach, decided that it was unfair to leave Asprilla wandering lonely as a cloud and brought on Valencia.

Valencia changed the pattern of the game, not only because he has pace and power, but because his arrival gave Asprilla more space. The latter had one glorious, serpentine, rubber-legged run when player after Romania player tried in vain to get the ball away from him. His solo ended with an insidious pass, but the Romania defence survived.

There were other moments when Colombia looked threatening. Valderrama put Santa cleverly through, but this was not Santa's day and he wasted the chance. When the muscular Lozano served another



Ilie, centre, the Romania forward, hurdles the Colombia defender, Palacios, on his way to scoring the decisive goal in Lyons yesterday

distinguished veteran, Freddy Rincon, the attempt was walloped just wide. And when Serna somewhat redeemed himself with a searching free kick, Lozano headed not far past the post.

Against that, Romania should have had another when the substitute, Ovidiu Stinga, broke clean through but shot past an upright.

So Romania prevailed, without, perhaps exerting themselves to the full. Both teams will give England a harder game, no doubt, than Tunisia were able to, but it should not be beyond England to get a good result against both of them.

ROMANIA (1-2-5-2) B Stelea (Salamanca), Gheorge Popescu (Galatasaray), J Filipescu (Galatasaray), L Cochegiu (Dinamo Bucharest), D Petrescu (Chelsea), C Geta (Español), D Murtesan (Colonia), G Hagi (Galatasaray), L Marinescu, Rado Bucurescu, Tineri, Gabriel Popescu (Salamanca), Sica O Stanga, PSV Eindhoven, Berlin) — I Ilie (Valencia), V Moldovan (Coventry City), sub: G Cravaria, Reel Sociedade, 84

COLOMBIA (4-5-1) F Mondragon (Independiente), W Cabrera (Millonarios), E Palacios (Atletico Madrid), J Bermudez (Wigan Juniors), J Santa (Atletico Madrid) — F Rincon (Coventry), C Valderrama (Miami Fusion), M Serna (Boca Juniors), V Aristizabal (Club Pachuca), A Valencia (Independiente, 49min), H Lozano (Real Valladolid) — F Asprilla (Parma), L Proledo, Bogdan Stelea (Parma), L Referee: Lim Kee Chong (Korea)

# Boyz learn hard way in man's world

BY OUR SPORTS STAFF

THE Jamaica players see their match against Argentina on Sunday as a make-or-break affair, having attempted yesterday to digest the 3-1 defeat by Croatia in their first experience of the World Cup finals.

Encouraged by Argentina's narrow 1-0 win over Japan, René Simoes's Reggae Boyz aim to put the accent on attack in Paris. Jamaica believe that the game against Croatia on Sunday was won and lost in two dramatic incidents within a minute just after the break.

Robert Prosenicki scored what the Jamaicans thought was a lucky goal in

the 53rd minute and then, at the other end, Dean Burton, the Derby County striker, missed an easy chance. Fitzroy Simpson, the Portsmouth midfielder player, said of Prosenicki's effort: "If he meant that, it was a world-class goal. After that, we were a little bit shocked and from then on we were chasing the game. I think we gave away three bad goals, so we have some hard work ahead of us. But we need to score more goals as well. Dean had a great chance. It was a great cross by Paul Hall and I don't think Dean knew how much time he had."

Darryl Powell, a substitute against Croatia, believed Jamaica have learned lessons from the defeat. "We will go back

and think about his result and analyse where we went wrong," he said. "We still have two matches to go. Argentina will be difficult, but Japan are surely beatable. It's still possible to lose your first match and end up qualifying. The lads were in a positive frame of mind and I think the game showed that."

Paul Hall, of Portsmouth, feels that Jamaica cannot just rely on their colourful fans to give them a lift.

"Ever since we qualified and even in the qualifying stages the fans have been phenomenal," he said. "That gave us a lift, but on such a big stage as this you've got to lift yourself. Croatia did and we didn't."

# Bookmakers count the cost of victory

ENGLAND'S victory against Tunisia yesterday brought joy to many supporters but dismay for the bookmakers (Russell Kempson writes). Ladbrokes lost a "six-figure" sum to punters who took 12-1 on the "scorecast" bet of Alan Shearer to score the first goal and England to win 2-1.

"It was very popular," Sean Boyce, the firm's football spokesman, said. "It's the worst result of the tournament for us so far and there were a few long faces in the trading room. Fortunately, it doesn't happen every day."

England are now 8-1, in from 10-1, to win the World Cup. "We'd hardly seen a

penny for them before today," Boyce said. William Hill were not hit so badly, although one client had £2,000 on the correct score at 6-1. Shearer is now 7-1, from 12-1, to finish as the tournament's leading goalscorer: England are 9-1 for the World Cup.

Hills can possibly afford a fallow day. Its successful bets laid included £100,000 on Bulgaria to beat Paraguay (they drew), £50,000 on Spain to beat Nigeria (they lost) and £70,000 and £40,000 on Holland to beat Belgium (they drew). It also took numerous amounts, at 4-1, on England not to qualify for the second round.

## WORD-WATCHING

- Answers from page 49
- DATHAN**  
(a) One of the leaders of the revolt, led by Korah, against the authority of Moses in the wilderness of Sinai. These dissidents complained that the Israelites were taking far too long to reach the Promised Land flowing with milk and honey. Their protest cost them their lives.
- SHESHBAZZAR**  
(a) A prince of Judah who was made governor of Jerusalem by the Persian king Cyrus and was entrusted with the return to the Temple of the immense quantities of precious vessels which had been looted from it by Nebuchadnezzar.
- AHASUERUS**  
(a) King of 127 provinces from India to Ethiopia. He put away his wife Vashti when she refused his summons to come and display her beauty to the people. Esther was promoted to her place.
- FELIX**  
(a) Antonius, procurator (governor) of Judaea AD 52-60, an obnoxious freedman whose brother Pallas was (among other things) the lover of Agrippina (Nero's wife). His governorship saw mounting disorder, crime and corruption. He kept Paul in prison at Caesarea between 58 and 60.
- SOLUTION TO WINNING CHESS MOVE**  
1 Nc4! threatens Nb6 mate and forces the win of material.

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WORLD CUP 98



Earle, right, heads Jamaica level against Croatia just before half-time to set their supporters dancing. Photograph: Clive Brunskill / Allsport

A lofty detachment gives way to dread when you really care

Porte de Versailles, Paris

On Sunday night in Lens, we heard the depressing news of the marauders in Marseille when someone got a tip-off call on his mobile. The timing was rather cruel. Jamaica v Croatia was about to start, a warm sun was shining and the party in the station square had been pulsing all day, with authentic goat stew on offer. Thus, just when the World Cup looked something like a light-hearted party fell the shadow and I was forcibly reminded that the main emotion entailed in supporting the England national team for indeed, a team of any sort) is dread. As a supporter, you get dread interspersed with joyous relief, I suppose - but principally, it's dread. Conveniently, I had forgotten this over the past week, preoccupied, as I was, with monitoring gamely the performances of teams whose eventual fate didn't touch me in the slightest.

I knew half the players. I worried about them

"Well done, France," I said, generously. "Oh dear, back up, Holland." How easy it was to inform downhearted Scotland that honestly, it's only a game. But suddenly, with the news "What do you know, England fans have started

trashing Marseille," the knife finally twisted in the vitals and, for all the wrong reasons, lofty detachment was at an end.

All this added an edge to Jamaica v Croatia. I have to admit, since I would be watching England's momentous opening game against Tunisia not in Marseille but in a press room in Paris, and trying not to squeal or groan too openly in mixed company, watching Jamaica the night before was something like a dry run. I knew half the players. I worried about them. Meanwhile, the Croats - some of whom also play in England - commended themselves a lot less strongly, especially by the high-handed way they wore illegible shirts. Stanic, Bilic, Stumac - why would you write such names on a background of red-and-white checks if you didn't want to infuriate people?

If I was hoping to acquit myself in the sang-froid stakes, I'm afraid I came out of this emotional dress rehearsal quite badly. For example, when Robbie Earle's header equalised the score just before half-time, I positively screamed with joy; then I beamed like an idiot all through half-time, while the Reggae Boyz supporters ec-



Truss's Grand Voyage

statically sang and danced. Meanwhile, my exasperation with the clearly superior (in fact, quite brilliant) Croats focused more and more on their impossible shirts. "Who hit the bar?" was the cry from colleagues all around; "Who made the pass?" "Say it was impossible to tell." I recommended, firmly. "They've only themselves to blame."

It was a good match, in fact the best I'd seen. Very tense, energetic and noisy and not by any means the anticipated walkover. True, at kick-off, when the ball flew almost by its own instinct straight towards the Jamaica goal, the cheerful statistical chat in the press box turned immediately to the record number of goals scored in a match in the World Cup finals (ten by Hungary in 1982, apparently). But, in the

event, the dire statistic wasn't needed. Jamaica lost their initial hesitance, grew bold and muscular and restricted their period of thorough demoralisation to the last 20 minutes, when it was all up. Looking ahead to the rest of their tournament, it can't be encouraging to have Argentina on the horizon. However, the idea of the Jamaican fans having a party with the Japanese in Lyons is completely irresistible.

The point is, though, things are getting a bit too serious. Now (at last) that every team has played, we have points and goal differences to ponder and I find myself studying these league tables with my fingers in my mouth when I ought to be getting a good night's sleep. How much worse will the anxiety of anticipation get? "Oh, much, much worse," comes the cheerful reply from the World Cup old hands. How tautly do the nerves get stretched? "Till they can slice oak floorboards," they say. There is no fun involved at all, it turns out, only heartache and the avoidance of heartache and a procession of unsuccessful teams going home in disgrace until only one team is left to lift the cup. I did watch England v

Tunisia in the press room and, fortunately, quite a lot of foreign journalists screamed and groaned in chorus, although I think I was the only person actually to sluice their tear-ducts when Paul Scholes got the second goal. What an enormous emotional hurdle this match was. Despite my jolly "Bonne chance!" to a friendly Tunisian taxi driver on Saturday night, I badly wanted England to win and could settle to nothing but nail-chewing in the hours preceding. The odd thing is, I expected a Relief Interlude in the event of a win, but curiously there's no let-up. Once those vitals are engaged, it seems, that's that.

Earle's equaliser had me screaming

So now Scholes's excellent goal enters the file in the brain marked "World Cup highlights", along with Robbie Earle's header and the thrill of Ron Atkinson asking me how long it takes to drive from Lens to Paris (which I didn't know). To counteract this, I have to admit I was caught out in my assumption that Holland's Jerrel Hasselbaink just had a very similar name to Jimmy Floyd Hasselbaink. But it's all right, really. Into all lives a little rain must fall.

LYNNE TRUSS

Advertisement for The Rack beer. It features a black and white portrait of a man in a suit and tie, smiling. Text includes "Day 1st", "World Cup raise", "Available at The Rack for Father's Day", and "The Rack". At the bottom, it says "The best loved premium beer in France".

Advertisement for "Extra Time" beer. It features a black and white photograph of a group of people in a social setting, possibly a bar or club. Text includes "Extra Time", "Paris - June '98", and "The best loved premium beer in France".

TELEVISION CHOICE Remembering a princess

One Fool in the Past BBC2, 8.00pm By its nature the heritage series does not normally engage in current controversy but Kirsty Wark breaks that trend tonight. The topic is a suitable memorial to Diana, Princess of Wales, and Wark has clear views on the subject. Not for her a public shrine at Kensington Gardens, Wark finds her inspiration at Windsor Castle in a gloriously romantic statue of Princess Charlotte, another future queen who died young. This, says Wark, should be the model, but she fears her suggestion will be too radical. Otherwise the programme is given over to the resident eccentrics. "Whispering" Dan Cruikshank tries to convince us that derelict nuclear missile sites have the same elemental power as Stonehenge, while Lucinda Lambton drools over a riotous example of the picaresque in Ireland.



Ella Jones portrays a young autistic girl terminally ill with cancer (BBC2, 9.50pm)

Tea Time Channel 4, 8.00pm This has been a surprisingly low-key series from the normally raucous Evans, but perhaps golf does not lend itself to the antics he pursues in the television studio. He is in Scotland, the cradle of golf, for tonight's final programme, and while we see him playing a foursome on the Isle of Arran he untypically leaves much of the talking to others. The result is less a Chris Evans show than an opportunity for historians to discuss the game's origins (like cricket it apparently started with shepherds hitting things, in this case pebbles, with their crooks) and for today's Scots to enthuse on its continuing appeal. An incidental piece of intelligence is that women golfers appear to be more welcome north of the border than they are in some clubs in England.

Spoonface Steinberg BBC2, 9.50pm Lee Hall's drama about a seven-year-old autistic girl facing up bravely and often humorously to her death from cancer, comes to television after a memorable first appearance as a radio play. On radio we heard only the voice of the girl, brilliantly rendered by Becky Simpson, and her thoughts and observations were so vividly distilled that pictures seemed superfluous. In adapting the piece for the small screen, Hall has wisely kept the monologue delivered by Simpson as a voice-over. But now we can see young Spoonface, played by a different actress, Ella Jones, her parents (Helen McCrory and Mark Strong) and Mrs Spud (Linda Bassett) the kindly domestic. The images may sometimes distract but the message of the play, an affirmation of the immortality of the human soul, is triumphantly intact. Peter Waymark

Children's Health: One in Twenty BBC2, 9.00pm In Britain in the 1930s one in 20 was the mortality rate among children. Dr Leslie Temple, who qualified during that period, remembers: "Over the vast area of childhood illness, all we could do was hold their hands and hope." Thousands of babies and young children succumbed to diseases such as pneumonia, meningitis, tuberculosis, diphtheria

and polio. A clear and well-researched documentary traces the rapid improvement in the health of children during the 1940s and 1950s. The founding of the NHS meant that medical care was available to all and not just a few. Drugs were developed which tackled the main killer diseases and there was a more enlightened approach to treatment. One of the heroines of the story is Dr Beryl Corner who worked wonders on a derisory budget in a unit for premature babies in Bristol.

RADIO CHOICE

Rodgers and Hart: A Thousand Songs Radio 2, 10.00pm Russell Davies, presenter of this new series, admits to a slight exaggeration in the title but, given the output of Rodgers and Hart between 1919 and 1943, it can only be slight. The music is interspersed with clips from interviews and appearances by the two songwriters, including an occasion when they introduced themselves to the audience by age, weight and height. Larry Hart's claim that he was five feet tall or thereabouts, for Hart wore shoe lifts that he referred to as the "two inch liars". The first published Rodgers and Hart song, Any Old Place With You in September 1919, established that Hart's hang-up was, and would also be, an obsession with strange uses of rhyme: Portugal with court you gal, for example.

Tricks of the Trade Radio 4, 1.30pm The first wave of new Radio 4 lunchtime quiz and comedy shows has come to an end, so now the schedule introduces some newcomers for the summer. They include this highly-promising quiz programme in which teams in related professions are tested about their professional knowledge. The first programme has accountants talking on Britain Today, 8.00 News, 8.15 Health Matters, 8.30 Meridian Live, 8.45 Sports Roundup, 9.00 News, 9.15 Outlook, 9.30 News, 9.45 Sports Roundup, 10.00 News, 10.15 Outlook, 10.30 News, 10.45 Sports Roundup, 11.00 News, 11.15 Outlook, 11.30 News, 11.45 Sports Roundup, 12.00 News, 12.15 Outlook, 12.30 News, 12.45 Sports Roundup, 1.00 News, 1.15 Outlook, 1.30 News, 1.45 Sports Roundup, 2.00 News, 2.15 Outlook, 2.30 News, 2.45 Sports Roundup, 3.00 News, 3.15 Outlook, 3.30 News, 3.45 Sports Roundup, 4.00 News, 4.15 Outlook, 4.30 News, 4.45 Sports Roundup, 5.00 News, 5.15 Outlook, 5.30 News, 5.45 Sports Roundup, 6.00 News, 6.15 Outlook, 6.30 News, 6.45 Sports Roundup, 7.00 News, 7.15 Outlook, 7.30 News, 7.45 Sports Roundup, 8.00 News, 8.15 Outlook, 8.30 News, 8.45 Sports Roundup, 9.00 News, 9.15 Outlook, 9.30 News, 9.45 Sports Roundup, 10.00 News, 10.15 Outlook, 10.30 News, 10.45 Sports Roundup, 11.00 News, 11.15 Outlook, 11.30 News, 11.45 Sports 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# A painful reminder that every second counts

I mean it in the nicest way possible when I say that I hope that John Diamond never ever appears in another film like last night's *Inside Story: Tongue-Tied* (7).

Olivia Lichtenstein has achieved in her quiet, elegant documentary what John has managed to achieve in those *Times* columns in which he has been logging the course of his cancer — namely, made a tender, intimate, wry, honest and improbably colourful record of a pitch black subject that actually has as much intrinsic tenderness and wry humour as Hurricane Bertha.

*Tongue-Tied II — The Nightmare Continues* is not a film any of us is likely to see.

When he started writing in *The Times* about the golfball-sized tumour that was to cost him a chunk of his tongue, John expected to be deluged with letters from readers alerting him to the fact that — hey, in case he hadn't

noticed — he wasn't actually the first person in the world to have contracted cancer. It is a tribute to Diamond's writing that those letters never arrived: week after week what was translating into words what many other cancer victims were suffering but had been unable to express, while also drawing back the curtain for those of us too ill-informed to know better and too scared to find out.

He labels himself a coward, too. But if he hasn't been brave in confronting the disease (he says bravely doesn't come into it when you have no choice) he has been brave in being so honest about his reactions to his new companion. He let cameras film him for almost a year — almost into the operating theatre — allowing them to record his several lows and his many lower-stills: his fear of dying; his despair at not being able to kiss his children; or even to explain why he couldn't; his fear about never be-

able to broadcast again; his anxiety that without his voice and his fluency he was so different a person that he used to catch himself wondering: "Would the people I love have taken to me with me if, when we first met, I'd been a wounded, hunking mule, unable to respond to the simplest question without dribbling?"

Well-meaning people told him that cancer must at least have made him realise how much he loves his family. His answer — understandably — is that he pretty much knew that before, and that "happy, peaceful lives, without incident, are preferable". He's right. But peering at death certainly makes people think twice about squandering the rest of their lives on false people and foolish goals.

One reason why his chronicle has been so magnetic is that it crystallises (why should we need

## REVIEW



Joe Joseph

reminding of this so frequently?) how precarious our happiness can be like a delicate glass, it is hard to make but takes only a second to shatter. It's not that we sit at home thinking "there but for the grace of God go I". It's that it reminds you of the one essential truth of existence — according to the American writer Louis Auchincloss, at any rate — is that you have only one life and if you don't do with it

what you want to do, then nobody else actually gives a damn.

But how odd that while most of us run madly to escape death's shadow, there should be those who almost dare death to catch them: in technical jargon they are known as "grown men who attempt to fly around the world in a balloon, even though some of them own an international airline".

Bertrand Piccard, a Swiss psychologist who piloted one of the five teams of balloonists we saw in *Racing with the Wind*, part of Channel 4's *To The Ends Of The Earth* series, said: "The adventure consists in not controlling what is happening. There's a kind of 'let's go', a kind of 'let it be'. But usually there's not so much a 'let's go' and a 'let it be', as a 'let's go and parachute down, and let the balloon be by itself as it carries into those mountains up ahead." Rich-

ard and Branson's balloon never seems to make it off the ground — not manned, anyway. But an even bigger tragedy was the death of one of the key members of Branson's team, his engineer Alex Ritchie, who died following a parachute accident. Piccard's balloon stayed aloft for nearly ten days — by far the longest of the five teams, but still not long enough. All five rivals have vowed to try again. The narrator noticed that: "The challenge attracts brave men, but, remarkably, no women." That's because women have enough sense to know better.

A feature-length edition of *Branson* (ITV), called *Our Brave Boys*, managed to stay aloft for two hours but also seemed to be going nowhere very fast. The acting was classy enough — particularly Jemma Redgrave's Eleanor Bramwell, Kevin Monaghan as her worthy, on-again-off-again fiancé, Joe Marsham, and David Bark-Jones's dashing

Major Guy Quarrie, who was reluctant to get off again once he had managed to get on. Dr Bramwell: a coupling which went a long way towards explaining why Dr Marsham soon found his engagement was off again.

Nothing wrong with the dialogue, either: plenty of words. All pretty much in the right order. But somehow the whole thing lacked passion, like watching Norway play football. Also it was scheduled against a World Cup match, Germany v USA, on BBC1. Football fans could have watched that whole game and switched back in time to catch the final words — Bramwell telling Quarrie: "I'm not going to marry Mr Marsham."

Frankly, after waiting for 20 minutes you were in the mood for something a bit more dramatic to finish this stalemate between Quarrie and Marsham. A penalty shoot-out might have done the trick.

### BBC1

- 6.00am Business Breakfast (46871)
- 7.00 BBC Breakfast News (T) (96245)
- 9.00 All Over the Shop (T) (1065806)
- 9.30 Kilroy (T) (1874622)
- 10.00 The General (88784)
- 10.30 Royal Ascot A preview of the St James's Palace Stakes (63559)
- 11.00 News (T) (2318351)
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- 12.00 News (T) (9550595) 12.05pm Wipeout (T) (3841177) 12.30 Neighbours (T) (5149500) 12.55 Turning Points. The Great Waters (635923) 1.00 News (T) (93833) 1.30 Regional News
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- 5.35 Neighbours (T) (T) (805516)
- 6.00 News (T) and weather (535)
- 6.30 Regional News (887)
- 7.00 Summer Holiday Spain's lesser-known costa resort of Roquetas de Mar, a bargain break in Tobago, a stay in a romantic castle, and places to stay in Lisbon, host city to Expo '98 (8451)
- 7.30 Keeping Mum Andrew wants new girlfriend Wendy to stay the night but Peggy is determined to upset his plans for romance (T) (971)

### BBC2

- 6.10am Slaves and Noble Savages (7862501) 6.30 Terjeanl Musgrave at the Court (2815518)
- 7.00 Teletubbies (T) (2082061) 7.25 Goober and the Great Chasers (2905968) 7.50 Blue Peter (T) (T) (270429) 8.15 Yo! Yo! Space Race (7295931) 8.35 Puddingland Peas (T) (7641603) 8.45 The Record (4268968) 9.10 Job Ban (4390051) 9.20 Job Bank (4390239) 9.30 Pathways of Belief (8150177) 9.45 Numberline (8148332) 10.00 Teletubbies (T) (86326)
- 10.30 Watch (7321041) 10.45 Geography Programme (6339668) 11.10 Zig Zag (1449790) 11.30 Teaching Today (7103) 12.00 Key Skills (13351)
- 12.30pm Working Lunch (49264) 1.00 Bump (T) (2544784) 1.05 Mouse and Mole (T) (2543055) 1.10 Beautiful Things (25637448) 1.20 A Passion for Angling (T) (1961516) 2.10 Today's Day (24753103) 2.40 News 2.45 Westminster (T) (1749993) 3.25 News
- 3.30 Royal Ascot Coverage of the 3.45 St James's Palace Stakes and 4.20 Opening Stakes for two-year-olds on the opening day (5547210) 4.45 They Who Care (54754) 1.05 News
- 5.00 Seven Brides for Seven Brothers (1954) Classic musical western with Howard Keel, Jane Powell, Jeff Richards and Russ Tamblyn. Directed by Stanley Donen (T) (50847326)
- 6.45 Heartbreak High (364581) WALES: Scrum V
- 7.30 Home Ground: Stacking Up Trouble Air traffic controllers describe near-misses and the real risk of mid-air collisions (T) (413)

### BBC3

- 8.00 EastEnders Pat sets the record straight with Roy. Robbie appears for the first time in a long while, taking a few dubious words of advice from Barry, and Tony plays Luisa's night in shining armour (T) (9429)
- 8.30 Children's Hospital: Toddler Kieren undergoes surgery to remove his liver tumour (T) (1264)
- 9.00 News (T) and weather (8158)
- 9.30 Crimewatch UK Police ask for help in locating a man who left a Czech woman for dead in a train toilet (T) (417535) WALES: 9.30pm Going Continental: A Volunteer's Tale (61142) 9.35 Kane's Special (47806) 10.30 Crimewatch UK (91920) 11.00 999 (507177) 12.00 Crimewatch UK Update (8772479) 12.10am World Cup '98 — Match of the Day (7788901) 1.10 Royal Ascot (8587291) 1.30 News (7742104) 1.35 BBC News 24
- 10.15 999 Reconstructions of real-life rescues. Last in series (T) (476968)
- 11.10 Crimewatch UK Update (T) (267142)
- 11.20 World Cup '98 — Match of the Day Reaction to Scotland's match with Norway. Plus, highlights of Brazil v Morocco (T) (502622)
- 12.20am Royal Ascot Highlights from the first day of the Royal meeting (446959)
- 12.45 Almost (1999) Romantic comedy, with Rossella Drudi, Bruce Springsteen and Hugo Weaving. A woman dreams of escaping her mundane existence. Directed by Michael Pattinson (838949)
- 2.05 Weather (8520388)
- 2.10 BBC News 24

### BBC4

- 6.00am Business Breakfast (46871)
- 7.00 BBC Breakfast News (T) (96245)
- 9.00 All Over the Shop (T) (1065806)
- 9.30 Kilroy (T) (1874622)
- 10.00 The General (88784)
- 10.30 Royal Ascot A preview of the St James's Palace Stakes (63559)
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- 7.30 Keeping Mum Andrew wants new girlfriend Wendy to stay the night but Peggy is determined to upset his plans for romance (T) (971)

### BBC5

- 6.00am Business Breakfast (46871)
- 7.00 BBC Breakfast News (T) (96245)
- 9.00 All Over the Shop (T) (1065806)
- 9.30 Kilroy (T) (1874622)
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### BBC6

- 6.00am Business Breakfast (46871)
- 7.00 BBC Breakfast News (T) (96245)
- 9.00 All Over the Shop (T) (1065806)
- 9.30 Kilroy (T) (1874622)
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- 7.30 Keeping Mum Andrew wants new girlfriend Wendy to stay the night but Peggy is determined to upset his plans for romance (T) (971)

### BBC7

- 6.00am Business Breakfast (46871)
- 7.00 BBC Breakfast News (T) (96245)
- 9.00 All Over the Shop (T) (1065806)
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- 7.30 Keeping Mum Andrew wants new girlfriend Wendy to stay the night but Peggy is determined to upset his plans for romance (T) (971)

### BBC8

- 6.00am Business Breakfast (46871)
- 7.00 BBC Breakfast News (T) (96245)
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### BBC9

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- 7.00 BBC Breakfast News (T) (96245)
- 9.00 All Over the Shop (T) (1065806)
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### BBC10

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- 7.00 BBC Breakfast News (T) (96245)
- 9.00 All Over the Shop (T) (1065806)
- 9.30 Kilroy (T) (1874622)
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### BBC11

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### BBC12

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### BBC13

- 6.00am Business Breakfast (46871)
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- 9.00 All Over the Shop (T) (1065806)
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- 10.00 The General (88784)
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### BBC14

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- 7.00 BBC Breakfast News (T) (96245)
- 9.00 All Over the Shop (T) (1065806)
- 9.30 Kilroy (T) (1874622)
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### BBC15

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- 9.00 All Over the Shop (T) (1065806)
- 9.30 Kilroy (T) (1874622)
- 10.00 The General (88784)
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RACING 46 Under orders for start of Royal Ascot

SPORT

CRICKET 48 Lara ducks his responsibilities as Walsh wins day



TUESDAY JUNE 16 1998

Brilliant late goal seals victory over Tunisia in opening World Cup game



Scholes, who missed two good chances in the first half, makes no mistake this time as he curls a 20-yard shot into the top right-hand corner of the Tunisia net to complete England's 2-0 victory. Photograph: Marc Aspland

Scholes adds England's ginger spice

HIS cheeks were still flushed bright red when he emerged into the throng. Their hue seemed stronger because of the colour of his hair. He almost appeared to jump when the barrage of questions began, blinking in the face of them. His shyness, his modesty, everything about Paul Scholes makes him an unlikely hero, but here in the Stade Vélodrome yesterday, he slitted away some of the dirt and filth that was threatening to infect the beginning of

England's World Cup campaign. The young Manchester United midfielder had already been burdened with the task of recreating some of the dynamism that had disappeared with the loss of Paul Gascoigne's senses, but, under a burning sun and in a volatile atmosphere, he also provided the perfect antidote to the rioting that had disfigured the preamble to England's comfortable but crucial 2-0 victory over Tunisia.

If England never really excelled themselves here in the South of France, they performed with a reassuring solidity and composure that suggested they had built a strong foundation to progress in the tournament. No other team has set this World Cup alight either, but England, for whom Sol Campbell was outstanding in defence, looked on a par with the best of what has gone before. They can go into their approaching group games against Romania and Colombia, with burgeoning confidence.

After Alan Shearer, the England captain, had settled the country's nerves with a header from Graeme Le Saux's free kick three minutes before half-time, it was Scholes who sealed what was only England's fourth win in their 14 opening matches in leading tournaments with a brilliant, curling shot two minutes from the final whistle. Scholes, who, along with Le

FROM OLIVER HOLT, FOOTBALL CORRESPONDENT IN MARSEILLES

Saux and Teddy Sheringham, had been the main source of creativity throughout the match, got the ball after a clever flick from Paul Ince and turned on the edge of the area. He hardly looked up before bending a 20-yard shot beyond the despairing dive of El-Quaer and high into the Tunisia net.

ward play, scoring his goal from one of only two half-chances, was generous in his praise of Scholes, whose goal was his fourth in eight games for England. Shearer said that Scholes had proved that he could stride across the abyss left by the absence of Gascoigne, while Hoddie insisted that, although he was delighted with his performance, there had been no pressure brought to bear on him.

Scholes himself was keen to point out that there was room for improvement in his performance. He had missed two chances to put England ahead, the first when he directed a clear header too close to the goalkeeper after half an hour, the second eight minutes later, when he mistimed a flick from Sheringham's cross. So when someone suggested to him that his first World Cup game could not have gone any better, he managed a thin smile. "It could actually," he said, "I could have had a hat-trick and I was disappointed I had not scored the first two. They didn't go for me and I put them out of my mind. You can't let them worry you."

"I felt there was a bit of pressure on me before the game with all the talk about replacing Gazza. I felt the pressure to produce something, either to make a goal or score one, so I was pleased when that one went in near the end. "I had actually intended to play it back to Paul Ince, but I miscontrolled it so I thought I might as well have a go. Luckily, it went in." There was, of course, little in the way of luck about it. But then that is Paul Scholes all over.

Crossword puzzle grid with clues and solutions.



Campbell and Le Saux join in Scholes's celebrations

With Gascoigne gone and David Beckham and Michael Owen surprisingly relegated to the bench, Scholes, 23 and once described by Glen Hoddie, the England coach, as the player who could become "the jewel in the crown", was left to represent the best of the future of English football, a young man who has not let fame and success go to his head. He eschews the trappings of stardom, the bright lights and the late nights.

Shearer's pride shines through

Sirens wailed across Marseilles, a terrible reminder that for some Englishmen the battle was only beginning. The piercing shrill could not penetrate the cocoon that enshrouded the England players, however, with Glenn Hoddie's squad trying to remain oblivious to anything other than their own objectives. They were here to talk football and they did so with beaming smiles. The relief that they had stepped neatly over this banana skin was almost tangible, an emotion registered on the usually deadpan face of Alan Shearer, who, having celebrated his goal with such an uncharacteristic outpouring of ecstasy, emerged later flushed with pride. "You could probably see from my celebrations what it meant," the England captain said. "This takes a bit of pressure off me because I know there are high expectations. Everyone has been saying I will score the goals to shoot England to victory, so

Matt Dickinson finds the England camp in buoyant post-match mood

This was a day, though, when even the Liverpool boy wonder was in the shadows of another young talent, Paul Scholes's display ensuring that the great Gascoigne debate could be put in a box marked "case closed." "He's a smashing little player," Shearer said. "Nothing fazes him. He doesn't get uptight at all. If he needed to prove anything, he certainly did it today. People are looking at him to take Paul Gascoigne's role. He's done that and come out with flying colours. He caused them problems all afternoon." At the other end of the ratings scale was Darren Anderton, who betrayed his lack of matches in the past two years by being quicker than most. The Tottenham Hotspur player claimed, however, that he was happy with his form after surprisingly usurping David Beckham from the right wing-back role. "I wasn't really surprised to be picked," Anderton said. "If there was a surprise, it was to be playing in the World Cup at all after the two years I've had. I'm tired, but all the players are. I can play better."

He played a super role for us today just behind the front two. His movement and his passing were great and he gets his foot in there, too. It is a great start for the lad and I am sure he is the type of character who will keep his feet on the floor. "I have said before that he can be our jewel in the crown. The boy is confident in his own ability. He does not like all the razzmatazz that goes with the game now. He's a coach's dream because he does his talking with his boots on the pitch. We can only wait and see whether he will go on to be one of the stars of the tournament."

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